THREE CHEERS FOR A VOLUNTEER ARMY

RICHARD A. POSNER

ONE CHEER FOR WILLIAM BENNETT

PETER BEINART

THE NEW REPUBLIC

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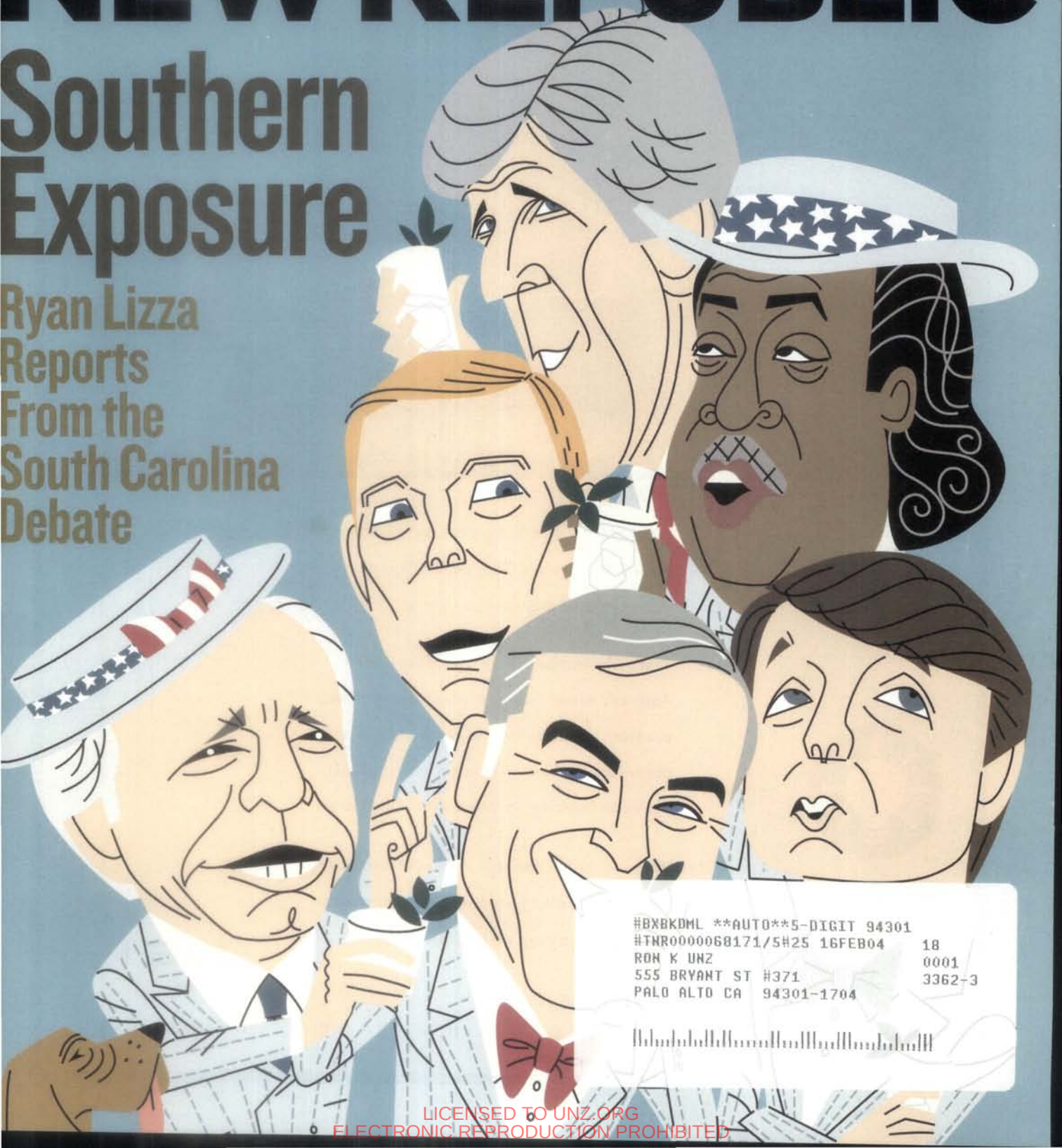
Southern Exposure

Ryan Lizza Reports From the South Carolina Debate



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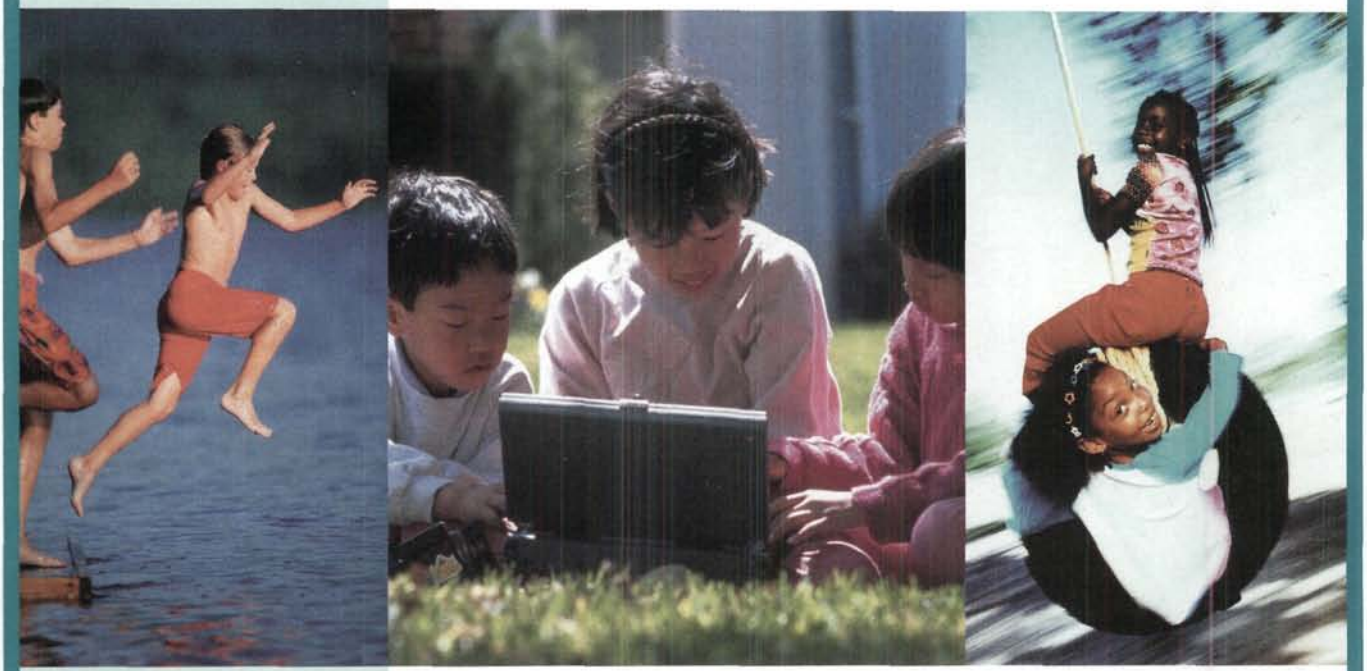

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CORRESPONDENCE

ACCRUING INTEREST

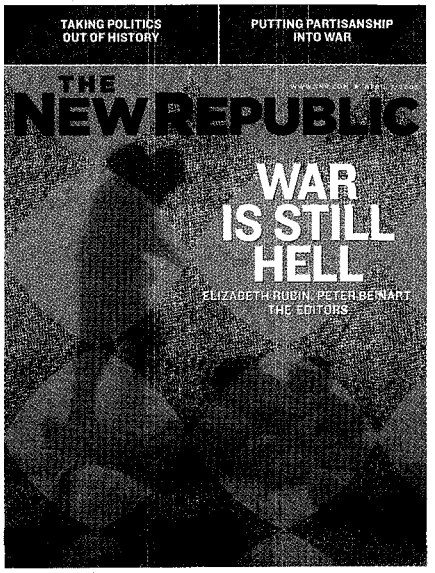
PETER BEINART ACCUSES GEORGE W. Bush of fighting a Clintonian war by sparing Iraqi civilians with the hope of minimizing the political effect at home ("Counting Heads," April 7). While Bush is avoiding civilian casualties, his motivations for doing so are far different than Bill Clinton's. Clinton's military actions were half-measures coinciding with impeachment votes. His motive for minimal loss was improvement of domestic opinion. Since Bush is seemingly doing the same, Beinart cites the hypocrisy of the right's accusation that the left is "insufficiently concerned with national interest," but no such hypocrisy exists. In this war, avoiding casualties and achieving victory in Iraq are both in the national interest. Bush has made it clear that a stable Iraq is in the U.S. national interest; as shown in the National Security Strategy, "poverty, weak institutions, and corruption can make weak states vulnerable to terrorist networks." If anything, the right's argument is proved by the left's vociferous opposition to this war. Thus, as Charles Krauthammer writes, the left has assumed their traditional role of opposing military action when U.S. national interest is at stake.

NEIL REEDY
Wayne, Pennsylvania

SEE NO EVIL

EVERYONE BENEFITS FROM SUBSTANTIVE criticism, but it is hard to see the point of assigning a book to a reviewer who hasn't learned to distinguish between an author's errors and her own (Erin Leib, "Earthquakes," April 7). (Can Leib suppose I didn't notice that several authors discussed in *Evil in Modern Thought: An Alternative History of Philosophy* died before 1755? Or does she think it possible to understand how attitudes changed after time *t* without understanding what they were like before *t*?)

I'm happy to acknowledge one charge: I "[s]ometimes cannot distinguish between intellectual significance and cultural significance." Neither can anyone who wants to understand Nietzsche's discussion of Wagner; Hegel's discussion of Antigone; Rousseau's discussion of child-raising or theater; Hume's discussion of history; and, yes, Alexander Pope. Even Kant, the academic's philosopher, wrote 15 fine essays for the



eighteenth-century version of *The New York Review of Books*. To be consistent, Leib must protest not only the inclusion of Pope and Sade but also of Bayle, Voltaire, Rousseau, Schopenhauer, Camus, and Arendt, none of whom regularly appear on course syllabi in mainstream philosophy departments. I included them to show that, long after the demise of logical positivism, philosophy impoverished itself by ignoring most of the topics, genres, and authors that earlier centuries considered central to the subject. Those who believe that philosophy's main concern with the external world is proving its existence are naturally free to continue doing so, but they should know that their predecessors would have been surprised.

One of Leib's mistakes has potential philosophical interest. When John Rawls—whom I first met as a student in 1975 and last saw two months before his death—told me in the early '90s that he too was always concerned with the problem of evil, I was just as puzzled as Leib. I knew how often he voiced his disinclination to engage in metaphysics. Though Rawls repeated his remarks to me several times in correspondence, I assumed they were merely an expression of his usual generosity toward former students. Not until reading his *The Law of Peoples* did I realize that the lack of understanding was my own. My book cites enough published and unpublished passages, as well as Thomas Pogge's excellent biographical sketch, to raise questions about the tensions between Rawls's rejection of metaphysics and the concern with the problem of evil that only became explicit in his late writing. It's clear that more work will be needed before those questions are answered, but meanwhile we might all do well to recall the hermeneutical principles Rawls himself used, namely to discuss "the most reasonable interpretation of a text. . . . If I saw a mistake in [the writers'] arguments, I supposed those writers saw it too and must have dealt with it. But where? . . . Or there was a part of the text I had overlooked, or had not read. I assumed there were never plain mistakes, not ones that mattered anyway."

PROFESSOR SUSAN NEIMAN
Director
Einstein Forum
Berlin, Germany

ERIN LEIB REPLIES:

SUSAN NEIMAN IS RIGHT TO INSIST upon widening the philosophical canon, both in terms of who counts as a philosopher and what counts as philosophy. Recent decades have witnessed an unfortunate trend of myopic hyper-specialization. The problem with her inclusion of non-canonical thinkers in *Evil in Modern Thought,* however, is that they cannot clinch her argument. In order to present a view about all of modern thought, one must at the very least account for those thinkers who, for better or for worse, have come to define it.

Regarding John Rawls, I defer to Neiman's memories, which are enormously interesting. But the evidence for Rawls's hidden metaphysics is still very slight. Neiman's treatment of Rawls in her book centers on "questions that orbit the problem of evil," though do not address the problem itself. That Rawls personally cared about the evils of the world is beyond doubt. But it remains to be demonstrated that he installed his care at the heart of his philosophy. ■

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Rules of the Game

TRB FROM WASHINGTON

I HAVE MY PROBLEMS WITH William Bennett. For one thing, I think he personifies a particular brand of Washington opportunism. In the 1990s, he was the conservative movement's culture warrior par excellence—devoting himself to stamping out drug abuse, Hollywood smut, feminism, gay equality, and whatever else he saw as degrading the culture.

Then September 11, 2001, came along, and all of a sudden the media didn't care much about the culture war anymore. Just the moment, one would think, when Bennett's causes needed him most. With his Washington savvy and influence, he could keep issues like drug abuse alive—serving as the conservative equivalent of Marian Wright Edelman, who keeps plugging away on child poverty regardless of whether anyone else in Washington is paying attention.

But Bennett has refused to play the Edelman role. Instead, he has largely turned his attention toward—you guessed it—the war on terrorism, an issue in which he had shown little previous interest. In March of last year, he founded Americans for Victory over Terrorism and soon afterward published *Why We Fight: Moral Clarity and the War on Terrorism*. Those efforts have helped keep him in public view. But they don't say much about his moral clarity regarding the domestic concerns to which he has supposedly devoted his career.

I have another problem with Bennett as well. When he did focus on the culture war, he defended massive invasions of privacy on the grounds that politicians (read: Bill Clinton) who lacked private virtue would display that same lack of virtue in their public conduct. "Adultery," wrote Bennett in a March 7, 1999, op-ed in *The Dallas Morning News*, "can reveal important elements of a person's (and a president's) character and judgment; his prudence and judiciousness; his honor and trustworthiness; his governing ability and stability."

That argument was nonsense. Of course, there is *some* relationship between a politician's private and public conduct, but that relationship is far too complex to encapsulate in easy formulations about "prudence and judiciousness." (President Clinton's political agenda, after all, was characterized by excessive prudence, even timidity.) The relationship between personal behavior and political belief is always a mystery—no amount of journalistic and legal prying can explain it. Moreover, such prying is unnecessary, since the public record furnishes far better evidence upon which to judge public figures. And, by stripping those public figures of their right to a private life, it robs them of their dignity.

Last week, events took an ironic turn. Bennett himself, *The Washington Monthly* and *Newsweek* revealed, has not lived a wholly virtuous life—he has gambled up a storm, helping bankroll an industry that his organization, Empower America, has labeled a leading indicator of America's cultural decline. For many social conservatives, this turn of events must be dismaying, since, like Bennett, they think his private conduct is fair game for public judgment. But I'm dismayed by something entirely different, the fact that prominent liberals who *disagree* with Bennett about privacy have temporarily adopted his standard in order to help destroy him. In exposing Bennett as a hypocrite, liberals need to make sure they don't expose themselves as well.

Take Joshua Micah Marshall, the author of the deservedly respected *talkingpointsmemo.com*, a sometime TNR contributor, and a friend. He writes, "For my part, I'd say leave everyone's [private] issues to them and theirs. . . . But those aren't the Bill Bennett rules, are they? Now he wants them to be. Too bad." But isn't the point that they are Marshall's rules? And isn't the definition of a rule something that applies universally, whether the person you're applying it to believes in it or not? We don't justify racial discrimination against bigots. To allow Bennett to determine the standards by which he is judged affords him an authority he doesn't deserve.

In *Slate*, Michael Kinsley, the dean of smart liberalism, makes basically the same argument. He posits a Bennett defender who argues that "his gambling never hurt anyone else." Kinsley responds, "This is, of course, the classic libertarian standard of permissible behavior, and I think it's a good one. . . . [But] Bennett can't plead liberty now because opposing libertarianism is what his sundry crusades are all about." Like Marshall, Kinsley is arguing that, because Bennett is a hypocrite, we can destroy him for gambling, even if in general gambling is nobody else's business.

Kinsley, to be fair, has for years argued that private behavior is fair game if it proves major hypocrisy. He has also argued that the press should let the public decide what is politically relevant—if a newspaper or magazine suspects readers might care about a public figure's private dealings, it should report them and let the masses decide the person's fate. But, while these guidelines sound good in the abstract, Clinton's impeachment showed (as even Kinsley has half-admitted) that in practice they can do great harm. The public didn't care about Clinton's adultery, and yet Washington's legal, journalistic, and political apparatus still pushed the issue to the brink of disaster. And, while it is all well and good to say we should expose major hypocrites, in order to find out who the major hypocrites are, you have to condone serious violations of privacy. Under the Marshall and Kinsley standard (which, since you're judging hypocrisy, is the Bennett standard), the press should snoop around to see whether Bennett committed adultery as well. And what if this famed opponent of trash entertainment watched pornography or even large doses of "Ricki Lake"? His cable records, and his bar tab, must be fair game as well.

And, while Bennett may be one of Washington's most high-profile right-wing moralists, he's surely not alone. John Ashcroft, Rick Santorum, Gary Bauer, Jerry Falwell, Pat Robertson, Jesse Helms, Alan Keyes, Sean Hannity—they would all come in for similar scrutiny. In fact, dozens, if not hundreds, of Republicans in Congress have probably said the same things about private morality as Bennett. If this sounds like a slippery-slope argument, it is. I don't see any clear principle that justifies exposing Bennett's gambling that wouldn't justify prying into the private lives of most public representatives of the cultural right.

Would liberals be gratified to see those people leave public life? Sure. But we would be gratified largely because of their fundamental lack of respect for privacy, their support for degrading intrusions into the private lives of famous and not-so-famous Americans who they view as less virtuous than themselves. Those are the William Bennett rules. It would be a sad irony if, in his moment of disgrace, he made them ours as well.

PETER BEINART

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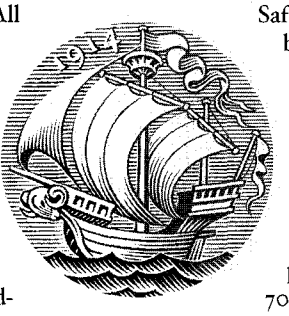
Shooting Blanks

EASILY THE MOST depressing moment of last weekend's Democratic presidential debate in South Carolina came when George Stephanopoulos asked whether "anyone on this stage [would] support [handgun] licensing and registration in this campaign . . . at the federal level." Of the nine candidates running for the Democratic nomination, only Al Sharpton responded with a vigorous assent. More depressing still is that this was but the latest example of the Democrats' craven retreat on gun control. As *The Washington Post* reported Monday, the House has overwhelmingly approved a measure that would shield gun manufacturers and dealers from legal liability—even when their guns end up in the hands of people legally barred from purchasing them, as was the case in last fall's D.C. sniper rampage. A companion bill in the Senate has 52 cosponsors, many of them Democrats (including Minority Whip Harry Reid). So complete has been the Democrats' about-face on gun control that many in Congress now expect an extremely tough fight to renew the federal assault-weapons ban, which expires next year—this despite the fact that even President Bush is on record supporting it. "The assault-weapons ban polls at ninety percent," says Mike Barnes, a former Maryland representative who now heads the Brady Campaign to Prevent Gun Violence. "But, if I look at the House, I have to say, how could we get it through there?"

How have the Democrats fallen so far, so fast on gun control? The answer has a lot to do with the perceived dynamics of the 2000 campaign. Shortly after the election, Democrats concluded that, "of all the issues, [gun control] had the greatest net effect" on limiting the party's appeal, as one senior House Democrat told THE NEW REPUBLIC at the time. As a result, then–House Democratic Leader Dick Gephardt promised his caucus that he wouldn't press the issue. The House Republicans' former top campaign strategist, Representative Tom Davis, concurs, telling the *Post*, "The gun issue was the cornerstone" of the GOP's campaign strategy. Davis pointed in particular to swing districts in Ohio, West Virginia, and Missouri.

The only problem with this analysis is that it's completely wrong. Take the states Davis cites. It's exceedingly tough to argue that opposition to gun control was a winning issue for the GOP in West Virginia, since the Republican winner of the state's only close House race, Shelley Moore Capito, actually *favored* gun-control legislation. Davis's reading of the election doesn't hold up much better in Missouri or Ohio. All four of the reasonably competitive districts in those states had traditionally tilted Republican, meaning Democrats faced an uphill battle to begin with. And, yet, they generally did as well as or better than they had in the past. And those are supposedly the *best* examples of races Democrats lost over guns.



Cross over to the Senate side and the gun-control issue actually paid impressive dividends for Democrats in 2000. In state after state where gun control was an important issue—Washington, Michigan, Missouri—Democratic challengers defeated National Rifle Association (NRA)–backed incumbents. The case is far from clear even on the presidential level, the source of so much anti-gun-control mythology. Though the NRA now claims credit for having orchestrated Al Gore's defeat in Tennessee, Arkansas, and West Virginia, its preelection strategy actually called for concentrating resources in Michigan, Pennsylvania, Wisconsin, and Iowa—all states Gore won.

All of which is before you compare the 2000 results with those of 2002—in which Democrats, after two years of running away from gun control, fared far worse. (In 2000, the Democrats picked up two House seats and four Senate seats; in 2002, they lost six House seats and two Senate seats.) That's not to say that Democrats would have done better last fall had they embraced gun control. Democratic losses—particularly in the South—were more a function of national security credibility than anything else. But that's in some sense the point: At a time when Americans are casting their votes on issues that have nothing to do with gun control, it is shameful for Democrats to ignore their consciences.

Shameful and out of step with the American people. The vast majority of voters support tighter restrictions on the use and purchase of firearms. Safety locks, child-proofing, background checks, waiting periods, assault-weapons bans—all of these measures routinely win sizeable majorities in public opinion surveys. Even the gun-manufacturing industry's own internal polls show that more than 70 percent of Americans favor mandatory safety locks and gun-show background checks.

That the NRA has thus succeeded in creating the impression in Congress that gun-control advocates are a lonely minority must count as one of the most successful political frauds in recent U.S. history. You'd think the Democrats could come up with someone more respectable than Al Sharpton to call them on it. ■

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NOTEBOOK

DANIELS LEAVES . . . SHARPTON LASHES . . . BUSH LANDS

MITCH, SLAPPED

THIS WEEK, IT WAS ANNOUNCED that Mitch Daniels will be leaving his post as director of the White House Office of Management and Budget in 30 days. The media coverage of this announcement described Daniels in terms not far from his preferred self-image as a fiscal tightwad and teller of uncomfortable truths to big-spending congressional barons. Daniels "made enemies in both parties with his sometimes acerbic advocacy of limited government and his efforts to pry from Congress additional power over spending," reported *The New York Times*. Or, as President Bush put it, Daniels was "a really good watchdog of the taxpayers' money."

In fact, Daniels was neither a truth-teller nor a fiscal watchdog. His most prominent characteristic was his willingness to toe the White House party line—even when this meant making claims that were preposterous even by the notably low intellectual standards of the Bush economic team. Early in his tenure, Daniels dismissed out of hand critics who argued that projected surpluses might not materialize, suggesting that it was at least as likely that they would be far larger than anticipated. He caricatured advocates of paying down the national debt as arguing that, "instead of sharing some of the surplus with the taxpayers at large, . . . we should have sent it to bondholders instead"—as if paying back a debt were some sort of gift to bondholding fat cats. He also shamelessly manipulated the September 11 attacks to justify Bush's fiscal irresponsibility. His 2002 budget was decorated with a U.S. flag, and, in an op-ed titled "A WARTIME BUDGET," Daniels defended it by comparing the nation's circumstances to those it faced after the Pearl Harbor attacks. Later, Daniels defended White House tax cuts by asserting that Americans faced "the highest peacetime [tax] rates in history," which was not only untrue—neither tax rates nor total revenues as a share of the economy were at high points—but also directly contradicted his claim of a "wartime budget." And, last February, he justified the budget's failure to include any provision for war with Iraq on grounds that "it would have been very unnatural to include costs for a conflict that Saddam Hussein could avert at any day."

Mitch Daniels

As for Daniels's alleged fiscal tightwaddery, it's true that he managed to keep down spending on programs such as rebuilding Afghanistan or protecting ports and nuclear facilities from terrorists. But he also acceded to $180 billion in unjustifiable subsidies for farmers and record-setting deficits. Daniels is reportedly leaving his post in order to consider a run for governor in his native Indiana in 2004. Perhaps Daniels can convince the Hoosier State that the fiscal calamity he leaves in his wake provides a solid basis for granting him executive authority. If so, Indiana's loss will be the nation's gain.

SHARPTON WATCH

VIEWERS OF LAST WEEK'S DEMOcratic presidential debate in South Carolina were treated to an unusual sight: Al Sharpton playing the statesman. As most of the other candidates bickered back and forth, the infamous bomb-thrower took the high road, encouraging the Democrats to "not be played against each other. . . . Republicans are watching. Let's not start fighting." The performance had its intended effect. The next day, on "This Week," ABC News' Michel Martin argued that Sharpton "made it clear that he's not in this race to be a hater, to be a polarizer. . . . I think he made it very clear that he's not going to be in the business of attacking these other candidates."

Ah, but earlier on the day of the debate, Sharpton had presented a different face. Appearing at the state's Democratic Convention, Sharpton delivered a more fiery piece of oratory, culminating with the following promise: "The way to move a donkey is to slap the donkey! I'm going to slap the donkey till the donkey kicks and we kick George Bush out of the White House! I'm going to slap the donkey!" Apparently, threatening to go after your own party is OK as long as Republicans aren't watching.

PLAYING SOLDIER

THERE WERE MANY WAYS TO CRITIcize President Bush's dramatic tailhook landing on the USS *Abraham Lincoln* last week: One could argue that it was a cheap political stunt; that it was a misuse of the commander-in-chief's power; that it was a deeply ironic action for a man who, while avoiding the war in Vietnam, did not even live up to his service obligations as a member of the Texas Air National Guard. But the White House, it seemed, had a perfectly good response: Bush had no other way of getting to the *Lincoln*. As White House spokesman Ari Fleischer explained to reporters before Bush's trip to the carrier,

DAVID COWLES

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the president would be arriving in a four-seat Navy S-3B Viking jet because the *Lincoln* would be hundreds of miles off the Pacific coast, putting it out of range of a helicopter. Well, as it turned out, on the day Bush visited the *Lincoln*, the ship was not hundreds of miles offshore; it was about 30 miles offshore—well within helicopter range. Indeed, the *Lincoln* was so close to shore that, when it came time for Bush to make his prime-time nationally televised speech from the carrier's deck, the carrier was turned around so viewers would not see the California coast in the background. When reporters, upon learning this information, asked Fleischer this week why Bush did not simply take a helicopter to the *Lincoln*, Fleischer tried a new explanation: Bush, he explained, wanted "to see an aircraft landing the same way that the pilot saw an aircraft landing. He wanted to see it as realistically as possible." We look forward to President Bush's 13-week sojourn on Parris Island to see, as realistically as possible, what Marine recruits see.

NUCLEAR NEGLIGENCE

BY NOW, IT'S CLEAR THAT THE problem with Donald Rumsfeld's plan for Iraq is not that it lacked enough troops to fight the war but that it lacks enough troops to keep the peace. Until recently, the best case against America's thin troop presence had been the looting of Iraq's National Museum in Baghdad. (Thankfully, it now appears that most of the museum's important works were safely hidden away from thieves.) Rumsfeld, who sneered at reports of stolen vases, never seemed to care about stolen art anyway. ("Stuff happens," he shrugged.) But he does ostensibly care about weapons of mass destruction. Which is why recent reports that American troops failed to protect Iraq's nuclear facilities from severe looting are as baffling as they are outrageous. According to *The Washington Post*, at least seven Iraqi nuclear sites have been found not "intact" and, in some cases, ransacked. At a minimum, that probably means that evidence of Iraq's nuclear programs has been lost. It may also mean the theft of material that could be used to fashion nuclear or radiological weapons. And, if it turns out there's a black market for stolen Iraqi uranium, Rumsfeld will need a far better explanation than "stuff happens."

DEPARTMENT OF CORRECTIONS

DUE TO A PRODUCTION ERROR IN last week's issue, a sentence in Michael Grunwald's article "Sugar Plum" contained a misprint. Instead of reading, "Not one Florida senator could be persuaded to back Big Sugar," it should have read, "Not one Florida senator could be persuaded to *buck* Big Sugar." We regret the error. ■

Inside the Box | Bruce Reed

HIGH FIVE Pentagon warns cities against victory parades that might make the world think the United States is gloating: "We prefer daring landings and warship backdrops in prime time."

BRASH LANDING Bush rides on Navy jet from 125 mph to screeching halt: "Just like the economy!"

FORGIVE US OUR DEBTS Values kingpin William Bennett runs up huge gambling losses. Moral: "$8 million is the tribute that virtue pays to vice."

CODE GREEN Homeland security becomes the new meal ticket for K Street. Old GOP position: "No new federal bureaucracies!" New GOP position: "Hey, a new place to lobby!"

WHITE HOUSE SHUFFLE Creator Aaron Sorkin leaves "The West Wing" as ratings plunge: "Who was I kidding? That guy couldn't carry Massachusetts!"

MR. PERSONALITY Democratic contenders clash in first debate: "It's just like 'Survivor,' except no one ever leaves the show."

CUT AND RUN Anti-Daschle smear campaign hires consultant who advised John Wayne Bobbitt: "We want to show South Dakotans it's not the end of the world to lose a member."

CASH AND CARRY McCain-Feingold ruling leaves special interests in limbo: "Buying influence is easy; the hard part is knowing where to send the check."

BENNETT: PHOTOGRAPHERS SHOWCASE; SHEEN: ZUMA PRESS

ENERGY SECURITY AND THE ENVIRONMENT

A DISCUSSION PRESENTED BY

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10:00AM-12:00PM

CAPITOL HILL, WASHINGTON, DC

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Iraqi émigrés' undue haste.

Return Trip

BY BENJAMIN SMITH

In 1991, as the Soviet bloc crumbled, Bulgaria's Monarchist Party made Simeon Saxe-Coburg-Gotha the offer he had awaited for half a century. Come back to Bulgaria, they told him, and we will make you king. Simeon had not set foot in his native country since 1946, when the Soviet-backed regime there sent him and the rest of the Bulgarian royal family into exile. The monarchists wanted Simeon to leave his villa in Madrid and return to the throne in Sofia. But Simeon said no. "I have a very carefully planned program," he explained; he would wait for the moment, "years from now, when I won't get people worked up and excited," and then he would return. In the meantime, he lent his support to Bulgaria's Union of Democratic Forces party and railed against the country's ex-Communists. And ten years later, after eight governments had tried and failed to catch Bulgaria up with other Central and Eastern European countries, the moment Simeon had been waiting for arrived: In 2001, the National Movement for Simeon II swept Bulgaria's parliamentary elections. Simeon then stepped down from his figurative throne and into the very real prime minister's chair.

Simeon Saxe-Coburg-Gotha might not be a familiar name to Ahmed Chalabi or Mohammed Bakr Al Hakim or any of the other émigrés angling for positions of power in the new Iraq, but they would be wise to study the experiences of Eastern European émigrés like him who sought to return to—and run—their native countries after the cold war. The good news for Chalabi and company is that Eastern Europe in the 1990s taught that returned émigrés can in fact make credible, popular leaders in their native countries: Of the eight new democracies on track to join the European Union, three have been or are currently led by returned émigrés. The bad news is that they can't do so right away. Not only do returned émigrés need to win their native countrymen's goodwill by toiling in the fields of their newly liberated homelands; they also need to let other leaders—leaders who did not leave—show their own failings before their countrymen come to value the skills that returned émigrés gained in the free societies of the West. Indeed, if what happened in Eastern Europe is any indication, the race between competing émigrés to run the new Iraq will not go to the swift; it will go to the patient.

The fall of communism in the early '90s swept no Eastern European émigrés to power. Stanislaw Tyminski, a quirky Pole who had emigrated to Canada, returned to his native country to run for president, only to lose to Lech Walesa in Poland's first free election; Gunars Meierovics, the president of the World Federation of Free Latvians, failed in his 1993 bid to become the first president of free Latvia. Indeed, not one of the various Eastern European rulers-in-exile floating around Western Europe was immediately elected president for real. The greatest obstacle the returned Eastern European émigrés faced was the resentment of their fellow countrymen. "The ones who have remained behind will resent you because you have not suffered; you have enjoyed the benefits of freedom when they did not," recalls the New Jersey–raised Toomas Hendrik Ilves, who served as foreign minister of Estonia. "Even if you have something to offer that the country recognizably needs, many will still see you as a carpetbagger."

That can't be music to the ears of the returned Iraqi émigrés currently vying for power in Baghdad. Chalabi had been out of Baghdad for more than 40 years. Adnan Pachachi, an ex–foreign minister apparently favored by the State Department to run Iraq until he ruled himself out, left the country 33 years ago. The former self-proclaimed mayor of Baghdad, Mohammed Mohsen Zubaidi, returned from London after 24 years. The leading pretender to the Hashemite throne, Sharif Ali bin Al Hussein, left in 1958, when he was two. Already, resentment against the returnees is starting to surface. "Many Iraqis resent the intrusion of what are seen as soft-skinned exiles," *The Economist* reported recently.

But, as the experiences of returned émigrés in Eastern Europe show, those resentments can be overcome. Consider Valdas Adamkus. He left his native Lithuania for Chicago as a teenager in 1949 and later worked at the U.S. Environmental Protection Agency (EPA), eventually becoming the EPA's Midwest regional administrator. But, shortly after his native country gained independence in 1991, Adamkus began working behind the scenes in Lithuanian politics—backing moderate, free-market nationalists; making powerful friends; and becoming a familiar face. In 1998, Adamkus ran for president of Lithuania and won. (He left office this year.) The next year, neighboring Latvia elected as its president Vaira Vike-Freiberga, who left the country for Canada at the age of seven in 1944. A former president of the Canadian Psychological Association, Vike-Freiberga had originally returned to Latvia in 1998 to run a cultural institute. And then, in 2001, Bulgaria elected as its prime minister the exiled former king, Simeon Saxe-Coburg-Gotha.

What accounted for these returned émigrés' success? Part of it was the low-profile nature of their returns. Rather than rushing back to their native countries and immediately vying for power, Adamkus, Vike-Freiberga, and Simeon all bided their time. While doing so, they engendered goodwill among their countrymen by importing the skills, and the understanding, they picked up in free, capitalist countries. Adamkus, for example, administered U.S. environmental aid to his country. Other returned émigrés advised finance ministries, central banks, and local industries. They ranged from the great philosopher of nationalism Ernest Gellner, who returned to his native Prague in 1993 to help build the Western-style Central European University, to Vytautas Dudenas, who spent a

Benjamin Smith covers New York City Hall for The New York Sun *and covered parts of Eastern Europe for* The Wall Street Journal Europe.

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career in finance in Chicago, returned to Lithuania to advise its finance ministry, and became minister of finance in 1999. "I would say Iraqis should return and help build up their country like hundreds did in Estonia, thousands elsewhere, as counselors, advisers, bankers, Internet service providers, ambassadors," says the Estonian émigré-turned-Foreign Minister Ilves, who before becoming foreign minister served his native country as ambassador to the United States.

Just as important, over time the returned émigrés' attributes—attributes they acquired living in the West—grew more valued in their native countries. That's because other leaders, who had not spent any time outside the Soviet bloc, were perceived as failing in their efforts to bring their countries out of the ruin of Communist rule. One thing the émigrés offered was purity. The Baltic states of Latvia and Lithuania are both plagued by the influence of Russian oil money, which flows through their governments with the pipelines that cross their countries. The émigré presidents hailed from an utterly different world and could at least promise personal integrity.

Eastern Europeans also realized that electing former émigrés would send a helpful message to the West. In the late '90s, the Baltic states appeared marginal candidates for entrance into NATO, too close to Russia for comfort. But the elections of presidents who had spent most of their lives in North America made clear where the voters' aspirations laid. Bulgaria in 2001 was similarly a marginal candidate for the European Union, and Simeon offered a distinctly Western face for a country desperate to rejoin Europe. If Iraq is somehow transformed into a democracy, Iraqis will be choosing an orientation—to Washington, Tehran, Paris, or Damascus—when they pick a leader. Electing a returned émigré sends a clear foreign policy signal to the country from which the leader returned.

Alas, it seems that the Iraqi émigrés have largely ignored their Eastern European counterparts as émigré role models. Instead, many of them, in their haste to gain power, have fixated on Charles de Gaulle, who as the leader of the Free French Forces in August 1944 rode into Paris at the head of the Allied columns, declared that the French themselves had liberated the city, and immediately assumed control of the country. Chalabi seems particularly enthralled with de Gaulle: His supporters—most of them in Washington—sometimes refer to him as the "de Gaulle of Iraq," and his Iraqi National Congress militia has been christened the Free Iraqi Forces. To become the "Simeon Saxe-Coburg-Gotha of Iraq" might not have quite the same ring to it, but, then, even the most optimistic émigrés must know that Iraq is not France. If, in ten years, it becomes the next Bulgaria, that will be achievement enough. ■

Amman Dispatch

After the Fall

BY HASSAN FATTAH

AMMAN'S MOVIE THEATERS, many of which were closed during the Iraq war, have begun to fill up again, and its restaurants are buzzing back to life. Its malls are resounding with the noise of ringing cash registers. And local investors, ebullient that the war with Saddam Hussein ended so quickly, have sent the stock market spiraling upward. In general, says psychiatrist Walid Sarhan, Jordanians are relatively upbeat these days.

Yet, just over 200 miles from Amman, a hulking tanker moored in the Red Sea port of Aqaba stands as a reminder that this good feeling could be short-lived. The Norwegian-built, single-hull tanker holds two million barrels of crude oil, much of it supplied by Iraq at extraordinarily low prices weeks before the war broke out. A special deal reached between Jordan, Saudi Arabia, Kuwait, and the United Arab Emirates—and financed by the United States—will replenish the ship's supplies through June. The ship was meant as an emergency measure in case oil supplies from Iraq were cut off during the conflict, but today it is Jordan's lifeline, serving as the backbone of its economy. All the countries in the region are unsure how they will be treated economically by whatever government comes to power in Iraq in the coming months and years. But Jordan is particularly vulnerable, since the future rulers of Iraq most likely will not provide oil nearly as cheaply as Saddam did. Come June, when the ship's supplies are finished, Jordan's cheap oil will probably run dry.

That could well plunge Jordan into recession. "This is clearly going to be the challenge in the next several years," says Osama El Sherif, editor of *The Star*, Jordan's English-language weekly. "Next year, we will have to look at ways of increasing taxes and raising income to pay for the oil." As all politicians know, raising taxes and cutting services is a sure road to unpopularity. Indeed, while Jordan's young king, Abdullah II, has thus far insulated his regime from the impact of destabilizing political change in the region—the Israeli-Palestinian conflict, the rise of Islamism—economic change may prove far harder to combat.

FOR DECADES, JORDAN has relied on Iraq for almost all its energy needs. During the international embargo on Iraq in the 1990s, Jordan enjoyed some of the cheapest oil of any country in the world. Because it wanted to curry favor with the Jordanian regime, which stayed out of the first Gulf war but inched closer to the United States and Israel shortly after it, Saddam gave Amman almost half of its oil for free and provided the remainder for less than $20

Hassan Fattah is a reporter based in the Middle East.

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per barrel, well below open-market prices. Even better, throughout the '90s and early 2000s, Jordan was allowed to pay for this oil in barter rather than in cash. Effectively, in other words, Jordan was paying just over $8 per barrel for the five million metric tons of crude oil it consumed annually, compared with a market price that fluctuated between $15 and $30 per barrel.

This extremely cheap oil helped Jordan's economy post robust growth rates and padded the government's balance sheet. The Amman government was able to provide oil to consumers and merchants at subsidized prices. Even during the past three years, as the Israeli-Palestinian conflict has deterred investment in the Middle East and killed tourism to Jordan and the world has undergone a severe economic slowdown, Jordan's economy has expanded by a healthy 3 to 4 percent annually. In 2002, growth even topped 5 percent. "The [economic] benefits from Iraqi oil were enormous," admits Taher Kanaan, an adviser to Jordan's prime minister during the late '90s. "This was a benefit worth between five hundred million dollars and one billion dollars every year."

The embargo did not only result in cheap oil for Jordan. It was also a boon for Jordanian merchants and manufacturers, who became key suppliers to Iraq as Western and Asian companies, limited by the embargo and the deteriorating relationships between their governments and Saddam's regime, stayed out of Baghdad. Though Iraq has long been Jordan's largest trading partner, exports to Iraq became the center of the country's economy in the '90s, as the departure from Iraq of competitors from other countries allowed Jordanian merchants to build virtual monopolies in the trade of light manufactured products and other goods. What's more, Jordan drew upon the expertise of exiled Iraqi businesspeople, many of whom had fled Baghdad and wound up in Amman. The highway between Jordan and Iraq became one of the busiest land trading routes in the Middle East, with caravans of trucks coming and going every day. In 1995, for example, Jordan's exports to Iraq grew by 81 percent to almost $300 million. The economic ties continued to flourish throughout the rest of the decade: Sales to Iraq reached $420 million in 2001, nearly one-quarter of Jordan's exports.

Since the fall of Saddam's regime, that traffic has come to a screeching halt. Most of Jordan's fleet of roughly 1,600 trucks lies dormant, and the border between Iraq and Jordan is all but sealed, with few people other than journalists crossing between the two countries. In part, this slowdown in trade is to be expected, given that Iraq is now recovering from a conflict and the roads between the two countries are more dangerous than they were a year ago. But some Jordanian businesspeople do not expect trade to pick up. They worry that Jordanian merchants who once cozied up to Saddam's regime to win contracts will be shunned by a post-Saddam Iraq, even though Jordan remains an ally of the American occupation forces in Baghdad. What's more, Kanaan notes, a rebuilt Iraq will undoubtedly have many more trading partners and more advanced suppliers to choose from, including the major Western and Asian economies as well as regional powers such as Turkey and Israel, neither of which had warm relations with Saddam. Most Jordanian exports are of poor quality and would have a hard time competing with goods from the West, notes one Jordanian government analyst. Jordan is "in a really tight spot because we have to look for brand new markets," agrees Labib Kamhawi, president of the Jordanian petrochemical, oil, and gas consulting firm Cessco. In the end, many note, Jordan cannot rely on Iraq like it used to.

Oil, however, remains an even bigger problem. Although the United States has helped Amman by prodding the Gulf sheikdoms to provide Jordan with cheap oil for a limited time, even this deal was considerably more expensive than the Iraqi oil Jordan had previously received. Jordan signed onto the U.S. plan once Japan agreed to defray some of the costs of the Gulf oil by providing $100 million in emergency aid to Amman and the United States agreed to kick in another $700 million, but this assistance will run out in June, and there are currently no plans for a similar long-term scheme. In fact, Saudi Foreign Minister Prince Saud Al Faisal has pointedly declared that, in the long term, Riyadh will not provide oil to Jordan "at preferential prices." Currently, oil prices on the open market are triple the $8 per barrel Amman was effectively paying Iraq, meaning that Jordan would have to spend more than twice as much to purchase petroleum.

According to Jordanian economic planners, these higher oil prices could have a disastrous impact. Jordan's Planning Ministry believes that paying more for oil would eliminate the economic growth previously predicted for Jordan in 2003. Some members of the Planning Ministry are even more pessimistic, suggesting that higher oil prices are likely to send the country into a long-term recession marked by economic contraction, higher unemployment, and even hyperinflation.

No wonder King Abdullah and his advisers are worried. In a country where, despite respectable growth rates, real unemployment remains above 25 percent and universities are churning out graduates who have little hope of finding steady jobs, further economic pain could prove politically hazardous. "When you have economic instability, ... you have a powder keg," notes one senior analyst in the government. "We're already living in a difficult region; we don't need such instability internally." "The least you can say is that political anger will rise," notes Leith Shubeilat, a political analyst and former opposition leader. "It's like pressurizing a container that shouldn't be pressurized."

Already, limited market reforms instituted in Jordan in recent years have fostered anti-government anger as the price of basic goods has risen. In 1989, Abdullah's father, King Hussein, attempted to deal with a fiscal crisis by reducing subsidies on staple goods like bread, a move that produced fierce riots in Salt, an area previously considered a stronghold of support for the Hashemite monarchy. The Salt riots left at least eight dead. In 1996, a second attempt to reduce subsidies led to massive rioting in the Jordanian heartland.

Many political analysts in Amman believe that anti-

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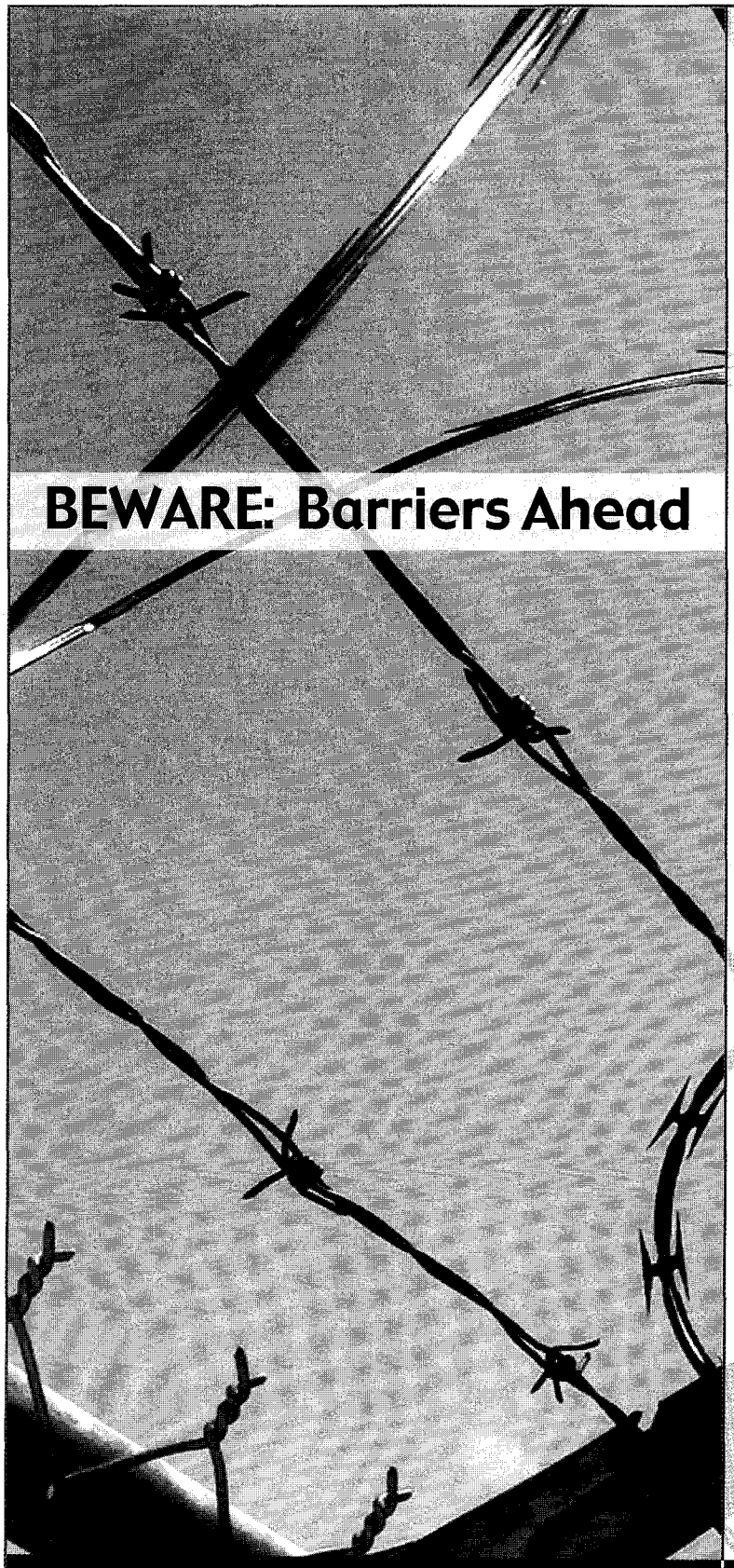

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government unrest will be worse if the government tries to push through similar economic reforms now. The young king dissolved parliament almost two years ago, leaving Jordan's unemployed, angry, young populace with few options for making their voices heard, some say, other than taking to the street. "Everything is [now] under the control of the executive," says Shubeilat. What's more, Islamist groups and other opposition organizations have become more popular with the public and more outspoken in recent years, leading large rallies in Amman and other cities. Many of these groups plan to exploit the potential economic downturn in June's upcoming parliamentary elections, the first since the legislature was dismissed, to extend their gains, turning the election into a referendum on Abdullah's policies.

So far, Jordan's king has offered few answers to the potential economic crisis. On Tuesday, the government raised the price of oil by 10 percent, prompting motorists to line up to fill their tanks before the increase took effect. Members of the government say they plan to ask the United States to extend the aid under which Jordan can purchase cheap oil. Others admit that Abdullah's government does not seem to have any strategy. "We don't have any answers," admits one senior government official. Meanwhile, the tanker in Aqaba continues to unload its cargo. ■

Why Iraq still needs oil-for-food.

Crude Calculus

BY JOHN B. JUDIS

BELIEVE IT OR NOT, the United States is on the verge of another donnybrook at the U.N. Security Council—this time over whether to extend the oil-for-food program in Iraq, which expires on June 3. The Bush administration is divided over what to recommend, but conservatives have been strongly urging the Bushies to let the program die. In the last month, Rush Limbaugh, William Safire, Steve Forbes, Charles Krauthammer, *The Washington Times* and *The Wall Street Journal* editorial page, and various members of the Pentagon's Defense Policy Board have all gone on record against it. "It's a stupid program to help French companies," Defense Policy Board member Ken Adelman said. "We should close it down."

The Bush administration would be wise to ignore their advice. The program, which has to be renewed twice per year, need not be extended indefinitely. But, over the next six months, while working to create a legitimate government in Baghdad, the United States and Great Britain need the program to feed Iraqis and to answer to charges that they invaded Iraq to control its oil. And the program also serves a little-known but enormously important financial purpose: It prevents countries to whom Iraq owes money from tying up its oil revenues in lawsuits.

The oil-for-food program was established in 1995 to address the humanitarian crisis then unfolding in Iraq. After Iraq's 1990 invasion of Kuwait, the United Nations had passed sanctions that restricted Iraq's trade until it demonstrated to U.N. arms inspectors that it was free of weapons of mass destruction. By 1996, with about one-third of Iraq's children suffering from chronic malnutrition, the United Nations adopted the oil-for-food program, which allowed Saddam Hussein's regime to sell oil in order to import food and other necessities (and to pay off Iraq's war debts to Kuwait). Saddam brokered the sales (which, after 1999, were no longer limited in amount), but the revenues from them were kept in a U.N. escrow account and used to buy items approved by the United Nations.

Saddam clearly took advantage of the program. His regime demanded secret kickbacks from the middlemen who purchased Iraqi oil and bought the bulk of its goods from countries—including France, Russia, and surrounding Arab states—whose support it sought in Turtle Bay. But, in spite of this, the program did considerable good. The United Nations built a network of 4,000 workers and 55,000 distribution centers in Iraq to hand out goods to Iraqi citizens, and, in six years, it substantially reduced malnutrition in the country. According to UNICEF estimates, malnutrition rates were cut in half from 1996 to 2002 in the parts of Iraq that Saddam controlled. By this year, 60 percent of Iraqis relied on the program for their diet.

If renewed, the program could continue to suffer from inefficiency and waste—but probably not from the kind of corruption and favoritism that characterized it under Saddam. And conservatives have not really advanced a plausible alternative to the program's existing networks for dispensing food aid. Having the United States dispense aid itself, as Newt Gingrich recommends, would add still another task to overburdened American occupation forces. And it's not realistic to think, as one Fox News commentator predictably recommended, that private charities could do the job. Says Bathsheba Crocker of the Center for Strategic and International Studies, "As a matter of pure necessity, it doesn't make sense to scrap the program's fifty thousand food-distribution mechanisms."

The program could also serve an important political function. Many of the war's critics in Europe and the Middle East continue to believe the United States went to war to seize Iraq's oil. If anything, that conviction has grown with the failure to find weapons of mass destruction; with reports that American troops protected Iraq's oil ministry, but not other buildings, from Baghdad's looters; and with the appointment of an American oilman, Phillip Carroll, to oversee the reconstruction of Iraq's oil industry. By letting the oil-for-food program handle oil sales for the next six months until the Iraqis are ready to take control of them, the United States could answer its critics while continuing to help the Iraqis rebuild their industry.

What's more, if the United States extends oil-for-food, the American, British, and Iraqi administration in Baghdad could

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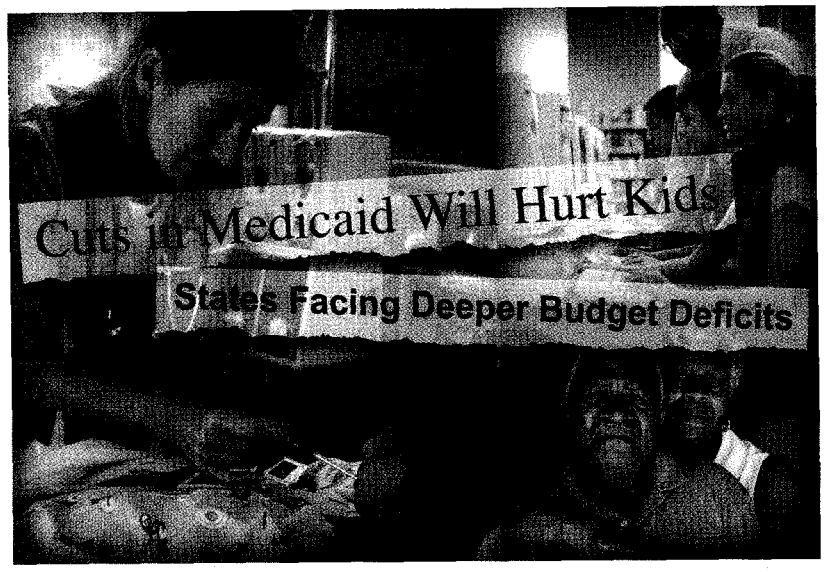
Where We Stand

THE **AFT** ON CRITICAL ISSUES



A TEST OF VALUES

The choices governors, state legislators, and Congress make to close huge budget gaps tell you what their priorities are.

What are we saying as a nation, when a six-year-old child will lose healthcare coverage because she lives in a state that has slashed funding for Medicaid?

Across our country, state budget gaps are threatening programs that America's children, families and the elderly depend on. This fiscal crisis has led state officials to severely cut funding for education and crucial social services and all but eliminate healthcare programs for those who need them most. Here are some alarming examples:

- Budget cuts will wipe out Medicaid healthcare coverage for millions of low-income Americans.
- The impact of state budget cuts combined with President Bush's proposed federal budget will leave more than 570,000 children without after-school programs.
- California—saddled with a $30-billion budget shortfall—has sent layoff notices to 25,000 teachers.
- Funding cuts for poor and working-poor families will deny more than 100,000 children the opportunity to attend preschool, putting them at a severe disadvantage when they enter kindergarten.
- Across the nation, thousands of pubic employees, including social workers and child-protection specialists, face layoffs.

Unlike the federal government, states are required by law to have balanced budgets every year, but even in the current crisis, governors and legislators have choices about how they deal with deficits. By closing tax loopholes and taking a fair and more balanced approach to spending cuts, they can preserve crucial programs and services.

In addition, Congress must act quickly to provide much-needed support to help states close their budget gaps.

Tough times reveal much about the values and courage of our elected officials. We need political leaders who are willing to reject simple, short-sighted cuts.

It's time for all of us to let governors, legislators and Congress know that we won't accept budget choices that could do real harm to our children, the disadvantaged, the elderly and working families.

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Sandra Feldman

Sandra Feldman, President, American Federation of Teachers

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also avoid a financial imbroglio. Under the U.N. program, the countries, companies, and individuals to which Saddam owes almost $400 billion in debts, Gulf war compensation, and pending contracts—a list that includes Russia, Kuwait, and Saudi Arabia—are prevented from making claims on Iraq's oil revenues to recoup the money owed to them. If the oil-for-food program dissolves, and if Iraq tries to sell oil, other countries, companies, and individuals could make legal claims against the revenues, as the Russians have already threatened to do. Foreign oil companies, fearing lawsuits, might be unwilling to purchase Iraq's oil. Says Edward Luck, the director of Columbia University's Center on International Organizations, "The United States has to make sure there is an international arrangement that won't be disputed, so there won't be legal challenges."

The program's critics dismiss this danger. "[T]he idea that it will be difficult to find buyers for Iraqi oil absent a U.N. seal of approval isn't credible," according to *The Wall Street Journal* editorial page. But, even if companies do purchase the oil, they would probably not be willing to pay market prices. Says Edward Morse, a consultant with the Hess Energy Trading Company in New York, "I think, if there were not the U.N. mechanisms and not an indemnification procedure, the oil would sell at a lower value because there would be a risk perceived by the buyer." That could create a situation, warns Morse, where critics of the United States could charge that Washington is "screwing the Iraqi people." The oil-for-food program doesn't provide a long-term solution to these problems, but it would give the Americans, British, and Iraqis at least six months to set up a government and try to resolve these past claims.

WHAT WILL THE Bush administration do when the program comes up for renewal at the Security Council this month? In the war's immediate aftermath, the Pentagon, reflecting the views of conservatives, pressed for scrapping the oil-for-food program and putting Iraq's oil sales and revenues in the hands of American advisers and their appointed Iraqi managers. But that brought protests from the State Department and the British. The State Department, with British backing, argued for phasing out oil-for-food gradually. Explains one State Department official, "You have to have some international legitimacy." The State Department and the Pentagon are still fighting it out, but, according to administration sources, the United States is currently leaning toward offering a U.N. resolution that will preserve at least part of the oil-for-food program.

On the Security Council, all the permanent members favor extending the program, but, among America's leading critics, France and Germany are open to compromise, and only Russia appears adamant about long-term U.N. control of Iraq's oil. The Russians are worried about $12 billion in debts that Saddam's regime owes them and another estimated $52 billion in contracts that the former Iraqi government signed with Russian oil companies. They want to make sure that, as part of any deal for phasing out U.N. control over Iraq's oil revenues, they are promised payment for their debts. The State Department appears willing to deal with Moscow, but conservatives within the Bush administration are skeptical. Says one administration official, "It is inconceivable how the U.N. can endorse a deal that would satisfy us and the Russians."

If the Bush administration takes the right's advice and simply declares oil-for-food null and void, then it will provoke another bitter, bruising battle at the Security Council. But, if it supports the program's renewal for six months—or even for three—it is likely to gather considerable support and goodwill, even if it doesn't fully satisfy the Russians. And, if the program itself is renewed, it will reduce the enormous burden of reconstruction in Iraq. That alone is reason to support it. ■

Is this any way to punish fraud?

Unsettling

BY DANIEL GROSS

FEW HAVE EVER accused Morgan Stanley, the white-shoe investment bank formed in 1935 by partners of the imperial J.P. Morgan & Co., of being solicitous toward the investing masses. And that hauteur was on full display last week. On April 29, appearing at the UBS Warburg Global Financial Services Conference, at Manhattan's gilded Pierre Hotel, Morgan Stanley CEO Philip Purcell was asked about the $1.4 billion "global settlement" that Morgan Stanley and nine other firms had just inked with state and federal regulators. "I don't see anything in the settlement that will concern the retail investor about Morgan Stanley," Purcell claimed. "Not one thing." At another point, the 55-year-old former McKinsey & Co. consultant remarked, "So far, so good this year. We have maintained our standards in market share as well as our reputation, in my view."

The comments were so at odds with plainly visible reality that, for a moment, it seemed as if the bespectacled Purcell were impersonating former Iraqi Information Minister Mohammed Said Al Sahhaf. Not 24 hours before, Morgan Stanley and other leading Wall Street firms had agreed to settle charges that were exceedingly troubling to all investors. The bestiary of sins laid bare in the so-called global settlement were, by and large, familiar to most casual readers of *The Wall Street Journal*: Investment banks allocated shares of hot initial public offerings to executives in exchange for business, and research analysts routinely subjugated their better judgment to the mandates of their investment-banking colleagues. But the settlement also brought new revelations about Morgan Stanley. Not content merely to turn its own analysts into shills for the dodgy stocks of its investment-banking clients, the august firm paid other,

Daniel Gross writes the "Moneybox" column for SLATE.

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smaller firms to issue absurdly positive reports and recommendations on the shares of Morgan Stanley clients as well.

Purcell's remarks, Securities and Exchange Commission (SEC) Chairman William Donaldson retorted, displayed "a troubling lack of contrition." And, indeed, one would think that, after being bludgeoned into a settlement, which included the publication of embarrassing internal e-mails and a ten-figure fine, Wall Street CEOs would treat us to a round of self-flagellation. But, so far, the bosses have shown no sign of trading in their Thomas Pink shirts for hair shirts. That's because, on Wall Street, settling charges with regulators is akin to advertising or paying rent: It's considered just another cost of doing business.

EVEN COMPANIES WITH the best images and records of corporate governance routinely face litigation from employees, business partners, competitors, customers, regulators, and governments. It's a fact of corporate life. Look through the 10-K filing of any large corporation, and you'll see a section reserved for "Legal Proceedings." Morgan Stanley's most recent 10-K mentions nine separate items. They range from an Equal Employment Opportunity Commission sexual discrimination lawsuit to actions taken by creditors of Sunbeam Corp., shareholders of a Turkish telecommunications company, and the Federal Energy Regulatory Commission.

Just another cost of business.

It's also a fact of corporate life that most of these proceedings will be settled. Litigating lawsuits, with the $400-per-hour lawyers Wall Street firms favor, can be very expensive. And the deposition and discovery process can bring embarrassing information into the public realm that a defendant would just as soon keep quiet. What's more, settlements can bring their own financial advantages. For instance, to the extent that some of the $1.4 billion in global settlement payments fund investor education ($80 million) or pay for independent research ($432.5 million), companies may deduct them from their taxable income. (The firms promised that they would not try to take tax deductions or collect insurance coverage on the $487.5 million in penalties levied.)

More significantly, when Wall Street firms are investigated by the SEC or sued by a former client, they face something worse than shame; they face uncertainty, which is the great undesideratum for any publicly held company. The prospect of a multibillion-dollar judgment, a verdict that could force changes in crucial business practices, or a ruling that unwinds a transaction can hang over executives' heads like a sword of Damocles. The easiest way to resolve litigation-induced uncertainty, of course, is to settle. And, when uncertainty is resolved—even if it's resolved by paying a huge fine—stocks tend to rise. (On April 28, the day of the settlement, financial stocks rose across the board.) Best of all, settling doesn't mean having to say you're sorry or that you did anything wrong. Generally, settlement agreements—whether they are with the SEC or the New York Stock Exchange (NYSE)—note that the party "neither admits nor denies these allegations, facts, conclusions, and findings."

As unsatisfying as such a wishy-washy, nonadmission admission may be, regulators and law enforcers who deal with financial misdeeds don't particularly want to litigate either. The NYSE and NASDAQ—which are more akin to trade groups or professional membership organizations than corporations—certainly prefer not to take their members to court. And permanently underfunded SEC enforcers would rather notch quick enforcement actions than endure marathon trials. In Wall Street investment bankers, the government faces the rare class of defendants with the resources to bollix things up in court for years.

Indeed, trials in securities cases are reserved only for the most obstinate—like high-yield bond king Michael Milken—or the most venal and wily defendants. Robert Brennan, the notorious 1980s-era penny-stock swindler, was charged with fraud by the SEC in 1995 but not convicted until 2001. Rogues of the 1990s, such as Andrew Fastow of Enron and Dennis Kozlowski of Tyco, may similarly avoid justice for several years, primarily because their allegedly ill-gotten gains will finance a decade's worth of trials. "The alternative to the [global] settlement, which resulted from months of tough negotiations, would have been protracted litigation," New York State Attorney General Eliot Spitzer noted. And that "would have delayed industry-wide reform indefinitely and could have resulted in a badly fragmented regulatory approach." (Or, perhaps worse, it could have meant that, come the New York gubernatorial election of 2006, Spitzer would still be deposing the Lehman Brothers managing directors instead of campaigning in Buffalo.)

BUT, WHILE SETTLING may make practical sense, it's not necessarily the most effective means of reform. After all, virtually all the firms involved in the global settlement have previously settled charges that they violated rules promulgated by the SEC or the NYSE

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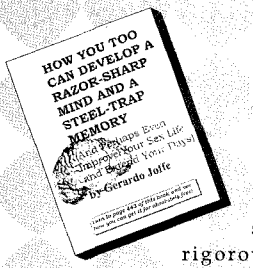

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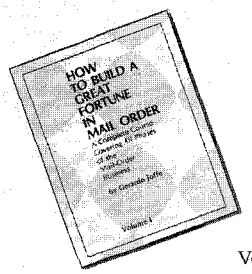

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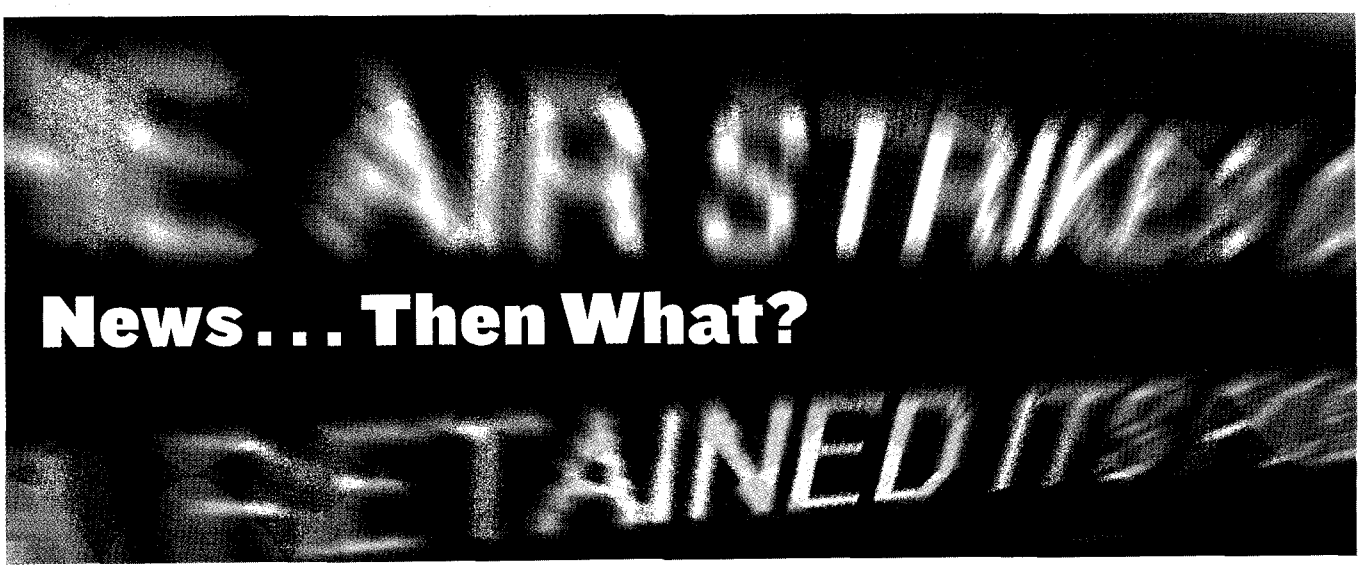
or that they abused customers. In April 2003, the NYSE disciplined four firms and 26 individuals, including employees or former employees of Salomon Smith Barney, Merrill Lynch, and Bear Stearns—all of which are parties to the global settlement—for everything from misappropriating funds to failing to supervise employees properly. Each month, *The Wall Street Journal* publishes the NYSE's disciplinary actions, often in tiny type so as not to take up too much space. Every sin has a price. And every sinner can get an indulgence. Last November, for example, Merrill Lynch paid $300,000 to settle NYSE charges (without admitting guilt or denying it) that it had violated regulations by knowingly hiring people with criminal convictions.

And here's the rub: In virtually every instance, it is worth it for the firms and individuals to pay the fines—because it was worth it for the firms to engage in the sort of behavior that earned the fine in the first place. The $1.4 billion in fines—which will be considerably less after taxes and potential insurance collections—amounts to only a tiny fraction of the immense profits companies earned as a result of the corrupt practices for which they are being sanctioned. Morgan Stanley's share of the global settlement amounts to $125 million (pretax). But that amounts to about 0.6 percent of its $19 billion in 2002 revenues. The ten firms in question probably clocked about $1.4 billion on a few good days in 1999. Even more objectionable, the settlement regime permits CEOs like Philip Purcell to parse the language in a self-serving manner. Purcell can stand up, with a straight face, and declare his firm a winner in this imbroglio. After all, Morgan Stanley was not deemed to have committed a crime; it was just forbidden to deny having committed one.

Is there a better way? Perhaps. A truly satisfying and perhaps more effective settlement would force not just the companies and a few of their employees to kick in, it would also force CEOs such as Stanley O'Neal of Merrill Lynch or Purcell of Morgan Stanley to part with some chunk of their massive fortunes. While a CEO levy wouldn't make investors whole, it would stand as recognition that the bosses were somehow responsible for the goings-on under their watch. It would make CEOs think twice about sanctioning future corruption. And it would be just. After all, the CEOs and other top executives profited far more from the corrupt research and other practices than did the lowly research analysts and investment bankers.

Because of their massive options packages and the performance of their shares in the late '90s, most CEOs took home tens of millions of dollars each year. In 1999, for example, Purcell's compensation package was worth $27.8 million, and he made $52 million exercising stock options. If Purcell—or any other Wall Street CEO—were forced to give up $10 million, or $20 million, of his after-tax fortune to an investor education fund, then we'd really see some contrition. ■



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Campaign Journal

Southern Exposure

BY RYAN LIZZA

Charleston, South Carolina

Joe Lieberman is sitting in the second pew at the Morris Brown African Methodist Episcopal Church here in Charleston, South Carolina. It's the morning after the senator revived his lifeless campaign with a strong performance at the Democratic debate two hours west in Columbia, and about 200 worshipers—mostly black, many on their feet—are singing and clapping to the gospel music of the J.A. Darby Mass Choir, which is belting out a jazzy version of the Christian hymn "Oh, How I Love Jesus."

Senator Lieberman, who is a little rhythmically challenged, occasionally takes a stab at clapping along but each time abandons the effort after disappointing results. As the chorus—*Oh, how I love Jesus! Oh, how I love Jesus! Oh, how I love Jesus! Because He first loved me!*—builds to a deafening crescendo, the choir's leader steps away from the altar, mike in hand, to do some ad-libbed call and response with the audience. "Do you love Jesus this morning?" she yells. The crowd shouts back their assent. She then turns her attention to Lieberman, an Orthodox Jew who believes that, whatever the differences between the two faiths, his shared religiosity with Southern Christians is key to winning the hearts of church-going blacks here in South Carolina. Crouched halfway to the ground with one hand in the air, the choir leader stands a few feet away, looking the candidate squarely in the face, and demands, "Senator Lieberman, do you love Jesus?" It's unclear whether she's unaware of the senator's religious affiliation or is trying to effect a conversion, but, regardless, it seems that she really wants an answer. With just a nod, Lieberman could pull off the greatest pander in American political history. But he resists the temptation, smiling nervously until the choir leader gives up and moves on.

Will Kerry really go to Bob Jones?

The temptation for candidates to reinvent themselves is everywhere here in South Carolina. Liberal Massachusetts Senator John Kerry tells an inquiring voter he "would love to" come speak at hyper-conservative Bob Jones University, the anti-Catholic college that until recently banned interracial dating. Antiwar firebrand Howard Dean shows up as the only candidate to speak before a luncheon held by the devoutly centrist Democratic Leadership Council (DLC) on the Saturday of the debate. Dick Gephardt, one of the best friends the labor movement has ever had, is attacked as a corporate toady for his health care plan and responds with a stirring defense of big business. Instead of bashing military spending, radical peacenik Dennis Kucinich channels Ross Perot and talks about Pentagon waste and abuse.

The idea behind moving the South Carolina primary to February 3, just a week after New Hampshire, is to force the Democratic candidates to appeal to more moderate constituencies than the spoiled, racially homogenous lefties in Iowa and New Hampshire who have dominated primary politics for a generation. And the idea behind the nationally televised Democratic debate in Columbia—the earliest such debate ever, timed to coincide with the state party convention—is to make sure that this moderating effect begins sooner rather than later. It seems to be working.

While the Columbia debate itself receives a lot of attention in the press, it's merely the centerpiece of a weekend crammed with campaign events and speeches, most of which go largely unnoticed in the national media. At Friday night's Jefferson-Jackson dinner, for example, party delegates dine to the music of the Dixie Chicks while Gephardt and Kerry work the room and overeager Dean supporters slap stickers on the waitresses. "They were putting them on me, I couldn't say no," says one server when asked why she—along with the entire wait staff here at Seawell's Restaurant—seems to back the former Vermont governor. "Who is Dean? Where's he at?"

Much of the evening is devoted to a tribute to Dick Harpootlian, the beloved outgoing South Carolina party chairman. Like the senior senator from South Carolina, Democrat Fritz Hollings, Harpootlian has a storied reputation for making outlandish remarks and speaking before he thinks. (He once compared Terry McAuliffe, the chairman of the Democratic National Committee (DNC), to "a ferret on crank"; more infamously, in 2001, he declared then-Representative Lindsey Graham too "light in the loafers" to take over Strom Thurmond's Senate seat and then pled ignorance of the apparent gay innuendo.) So, when Harpootlian begins to retell a story about Kerry and John Edwards that he heard from Hollings, the audience seems to brace itself. When they came for last year's dinner, the three senators—Hollings, Kerry, and Edwards—all spent the night at the governor's mansion, Harpootlian says, but Hollings didn't sleep well. "I said, 'Why not?'" Harpootlian continues. "And [Hollings] said, 'All night long, Edwards was getting up and going to the bathroom. And then, all night long, Kerry was getting up to dry off.'" After a pause during which the audience tries to figure

Zach Trenholm

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out the punch line, a wave of uncomfortable groans sweeps the banquet hall.

After dinner, the whole circus of candidates, campaign aides, party regulars, and reporters make their way over to "Congressman Jim Clyburn's World Famous Fish Fry." Clyburn, a wildly popular politician here, is the only black representative in South Carolina's congressional delegation, and, ever since the state moved up its primary, his endorsement, which he will announce at the end of the year, has become one of the most sought-after prizes of the preprimary season. That's why the fish-fry gossip mill is abuzz with chatter that Edwards isn't here. "Where is he tonight?" asks Jeff Hubbell, a Palmetto State veterinarian who is carrying a copy of *The Almanac of American Politics* in which he collects politicians' autographs. "He ought to be here."

When the candidates are invited to share a stage and make short comments, Kerry quickly seizes on the fact that Edwards is AWOL. "Jim Clyburn did us a great favor," he tells the crowd. "Because he said the next president of the United States is here tonight, and I notice there are only about five candidates here. So he already eliminated a quarter of our opponents." But, as it later turns out, Edwards *was* here. His campaign aides decided that, as the favorite son—he was born in South Carolina—he would use this weekend to try and separate himself from the rest of the pack. So Edwards arrived at the fish fry before the other candidates, stayed for an hour, and then left before he would have to share the stage with the others. Throughout the weekend, an unresolved debate will rage over whether or not Clyburn was offended.

Edwards is betting everything on charm.

The second piece of fish-fry gossip also comes during Kerry's remarks. For weeks, Dean, Kerry's nemesis and rival for the top spot in the New Hampshire primary, has been using a line uttered by Bill Clinton in the wake of the Democratic losses of 2002: "When people feel uncertain, they'd rather have somebody that's strong and wrong than somebody who's weak and right." With Dean standing behind him, Kerry suddenly feels the urge to summon Clinton's line for his own use. Slowly, haltingly, he tells the crowd, "President Clinton said a few days ago that 2002 proved that you can be *right* and *weak* and *lose*. And you can be *right* and *wrong* and *lose*." As Dean observes Kerry struggling through the sentence, he flashes a priceless look of sarcasm, rolling his eyes left and right before lifting his eyebrows skyward. Once the candidates finish their speeches, Clyburn steps up to the mike a little impatiently and announces, "Let's have a party." With that, the music starts, and everyone on the dance floor breaks into the electric slide.

KERRY'S MANGLING OF the Clinton quote was not exactly a high note for his campaign. Nor was his performance in Saturday's debate, in which he was widely seen as spending too much time sniping back and forth with Dean. But these two episodes aside, Kerry had a good overall weekend in South Carolina, where there is a palpable sense of enthusiasm for his campaign. He received the warmest cheers from the revelers at the fish fry. The next day, at the state party's convention, Kerry won the best response from the delegates of any of the major candidates. It's hard to pinpoint the exact source of Kerry's strength, but his trips to the state, which is rich in veterans and military bases, usually place a huge emphasis on his Vietnam service. On Friday, for instance, Kerry spoke before the South Carolina Combat Veterans Group for a wreath-laying ceremony to honor Vietnam Survivors Day. And the more that local Democrats here fear the general election will be dominated by imagery of President Bush dressed as G.I. Joe and armed with a $250 million campaign account, the more they seem willing to buy the Kerry campaign's argument that his combat experience and wealth make him their best shot. As one local woman explained to a group of undecided party regulars at the Jefferson-Jackson dinner, "He's got a military background. He's got a rich wife."

Moreover, Kerry's not as bad a retail politician as his reputation for being aloof and out of touch suggests. (It's the flip side of Edwards's mythical ability to tap into the soul of every person he meets, a reputation that vastly overrates his retail politicking skills.) On the afternoon before the Saturday debate, most of the candidates attend a meet-and-greet session for reporters and voters at the state fairgrounds. Inside one building, the candidates are sectioned off into little pen-like areas divided with blue curtains, a setup that allows the curious to wander around and do side-by-side comparisons. It's an opportunity to poke and prod the livestock before the cattle call tonight.

During the meet-and-greet, Kerry looks comfortable mixing it up with people, not strained or self-conscious. A woman makes a big deal of wrapping her arms around him, and Kerry beams, "That's what I love about South Carolina. In Massachusetts, you have to work hard for a hug." One woman actually walks away with tears in her eyes after Kerry takes her hands and tells her about both his military service in and his opposition to the Vietnam War. There are also a couple of great moments of spontaneity. One woman asks Kerry about an article she read in *Boston Magazine* that questioned the senator's consistency on the issues. Kerry tells her not to believe it before bending down to whisper in her ear a secret about the article's author: "His name is Jon Keller, and he and I have had a feud for years." Another woman has an even more provocative question: Would the senator come speak at Bob Jones University? "I would love to," Kerry tells her without missing a beat. When I ask her why she wants Kerry to visit, the woman replies, "I just think it's time for Democrats to come across as Christian." (Asked later about the exchange, Kerry press secretary Robert Gibbs says in an e-mail, "Senator Kerry would love to speak at Bob Jones, challenge the university, and tell them everything that George Bush did not have

ZACH TRENHOLM

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the courage to say in 2000 about views that clearly have no place in our society.")

But whatever flashes of wit and strength Kerry showed with voters throughout the weekend were gone by Saturday night's debate. Kerry looked tired and overprogrammed, his head crammed with the opposition research he used to attack Dean, and his voice cracked from overuse. "Maybe if he rested on the Sabbath like his grandfather, he wouldn't have had such a hoarse voice," a Lieberman aide joked.

BUT, EVEN IF Kerry's decision to attack rather than ignore Dean knocked the supposed front-runner down a few notches in stature, in the end it may not have been as unwise a tactic as most of the post-debate analysis suggests. Certainly, during the debate, Kerry looked petty and slightly desperate when he threw out statistics to make the point that the number of insured in Vermont had actually dropped by one-tenth of a percent during Dean's twelve-year gubernatorial tenure. The Dean campaign, repeatedly forced to respond to the charge after the debate, cried foul and mustered its own stats showing the number of insured actually rose during Dean's terms in office, from 87 to 91 percent—an important and positive change no doubt but not exactly the kind of quantum leap forward that the self-described health care candidate often brags about on the campaign trail.

Gephardt is betting everything on policy.

Before the debate, Dean spent much of the weekend talking about how he intends to win in the South. When discussing this strategy among liberal Northerners, Dean often says he wants to win over Southerners "who drive pickup trucks with Confederate-flag decals" by appealing to them on economic issues. But I didn't hear him utter that line once in South Carolina. It's not clear whether he was worried about offending black voters or, as an aide to a rival campaign argues, concerned about demeaning Southern whites. Either way, it's clear that Dean's cutting arrogance remains his Achilles' heel. When that arrogance is channeled into anger, it serves as the source of his strength on the stump, as it did during a fiery four-minute presentation at the fish fry that was warmly received.

But, without a rapt audience to feed off of, Dean has a tendency to come across as, well, mean. During remarks at the DLC luncheon on the afternoon before the debate, an audience member applauds a Dean line about how Republicans always inject race into elections. The man is obviously expressing agreement with Dean's statement, rather than support for the GOP's racial tactics, but Dean seems angered nonetheless. "I wouldn't clap for that," he says caustically, glaring at the man, "because the way they do it is not very nice. The way they do it is phone calls three days before the election, [and by] having guys intimidate people from going to the polls." The man, looking a little embarrassed, raises his palms as if to say, "Back off, I didn't mean it that way."

It's hard to imagine Edwards ever provoking such a chastened response. The foundation of the North Carolina senator's candidacy is that "he connects with voters," in the oft-repeated words of his aides. Indeed, the extent to which the Edwards campaign believes that his likeability, personal charm, and talent for retail politics will carry him to victory can't be overstated. "I would argue that [likeability] is the only thing that matters," a senior Edwards adviser recently told me.

At the candidate meet-and-greet, Edwards introduces himself to prospective voters in an exaggerated sing-song: "*How ... are ... you? ... Nice ... to ... see ... you.*" When he looks folks in the eye, his tanned face and penetrating blue eyes have such intensity that, as often as not, people can't help but look away. Unlike the other candidates, he seems slightly distant throughout the weekend. Just as he separated himself from the pack at the fish fry, he broke away from the field at the debate. His aides say his goal was to come out of the weekend strongly branded as the anti-big-business populist. His foil to accomplish this was Gephardt's health care plan, which Edwards savaged, suggesting its slogan should be "You're in good hands with Enron." Edwards came out so hard against Gephardt's plan that even Dean—who's competing with Gephardt to be seen as the race's health care candidate—seemed genuinely stunned. When asked his opinion of the plan, Dean had to admit, "Actually, I don't think it's quite as bad as John Edwards said. I was pretty shocked at some of that. It's not taking money out of working people." Later, Edwards aides argued that the night marked the beginning of the end for Gephardt's plan.

It's not at all clear that's true, but, if it were, it would likely mean the end of Gephardt's candidacy as well. For, if Edwards is the candidate of Personality, Gephardt is trying to make himself the candidate of Ideas—and his health care plan is the biggest idea he has to offer. Edwards wants you to like him first. He can talk to you about policy later. For Gephardt, it is the opposite. He doesn't need to get to know you, indeed he might be happier not to. He just wants you to hear the details of his latest policy proposal. At his stall at the meet-and-greet, he uses his health care plan like a shield. Unlike the other candidates, who stand surrounded by voters and reporters, Gephardt stands behind a folding table piled with thick pamphlets explaining the intricacies of his plan to bring health insurance to virtually all Americans. Faced with almost any question, Gephardt—who has a reputation for being what political consultants admiringly call "a disciplined candidate"—manages to respond with an almost rote recitation of his health care stump lines. When a disabled veteran approaches and complains about the lack of help he gets from Washington, Gephardt spends little time empathizing. Instead, he launches into an explanation of what his plan would do for cash-strapped states that are cutting benefits and services to deal with budget deficits.

Gephardt's policy-first strategy is a dull one, but it is not

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without opportunities to score points at his opponents' expenses. After Edwards's peculiar effort to cast him as a corporate stooge during the debate, Gephardt was only too happy to play up the style-versus-substance subtext. "I beg to differ with [Edwards's] characterization of all corporations as Enron. They *aren't*," he told me after the debate. He then proceeded to give his rival a sharp elbow: "Maybe he would read the plan. That might help."

BY THE END of the South Carolina weekend, in addition to the Kerry/Dean and Edwards/Gephardt feuds, a third rivalry was emerging: Graham/Lieberman. Bob Graham remained an oddity here all weekend. The only thing most people seem to have heard about him is his famed habit of writing down every detail of his life in pocket notebooks, a fact that is a never-ending source of jokes among rival campaign staffs. At one point, a bevy of aides from various campaigns play a BlackBerry-transmitted game of "fun things to ask Bob Graham," producing a hilarious—and mostly unprintable—string of queries, including, "Check all your pockets, and then turn and ask him if he has a pen and pad on him you can borrow." Graham's official kickoff tour won't come until a few days after the debate, and so the Florida senator has a low-key presence here. On Saturday morning, while some dozen reporters shout questions at Kerry during a breakfast with local supporters, Graham sits anonymously a few tables away and quietly takes notes while dining with Harpootlian. At the party convention, Graham has few volunteers or supporters in sight. When they are called to the podium, each candidate organizes their own little show of support using loud, sign-waving twentysomethings. When Graham speaks, a handful of his senior consultants silently hold signs above their heads. Graham has an explanation for this minimalist presence. "We can close the gap in terms of organization and fund-raising," he tells me after the debate. "They cannot close the gap in terms of maturity and experience and demonstrated executive leadership." The simple argument that the centrist former governor makes is summed up by the line with which he closes his speeches: "My name is Bob Graham. I come from the *electable* wing of the Democratic Party."

Lieberman found time for Jesus.

Unfortunately for Graham, it's Lieberman, whose campaign sees Graham as a threat to its centrist niche in the primaries, who best makes the electability argument this particular weekend. Until now, Lieberman has failed every key primary test to date. Although he talked about running for president throughout 2002, his campaign team has seemed disorganized and tractionless since he announced his candidacy. While he brags in his recent book that he "broke fund-raising records" for the DNC after joining the ticket in 2000, he came in fourth among the six major candidates during the money race of the first quarter of the year, raising only a little more cash than Dean—and burning through it at a higher rate than any other campaign. As his communications team tinkered with his message, he flitted from cattle call to cattle call, generating little enthusiasm.

Before the debate takes place, there is little indication that his performance this weekend will be any different. Lieberman's weekend is the opposite of Kerry's: a lackluster two days of events on the ground capped by a powerful showing when it really mattered at the debate. Absent from the state party convention because he is observing the Sabbath, Lieberman sends a video address instead. His onscreen delivery is dull and senatorial, weirdly out of context during an afternoon of red-meat speeches by flesh-and-blood candidates. "I was sitting there watching that video, and I thought, this is like something from 'Saturday Night Live,'" Richard Cain, a 53-year-old Democrat, tells me later. As Lieberman's taped address plays, many delegates talk loudly; others walk over to shake hands with Edwards, who has just climbed down from the stage. "If we were a nonentity in [the debate], it would have been a nail in the coffin," says a Lieberman aide.

But he's not, and it isn't. Unencumbered by the kind of left-liberal audience he's seen so far, Lieberman uses the debate to return to a version of the "left-right" strategy that pollster Stan Greenberg designed for him when he unseated Lowell Weicker as Connecticut senator in 1988, attacking Weicker from the left on the environment and consumer protection and from the right on crime and foreign policy. After the debate, other campaigns will argue that, while Lieberman shined, he defined himself as too far right to win the Democratic nomination. Lieberman aides argue that his positioning is more nuanced than that. "He's not running as a New Democrat," says one. "He's running as Joe Lieberman. He's redefining that [centrist] space." During the debate, for instance, Lieberman attacks Gephardt's health plan from the right as "big spending" *and* from the left as a drain on resources for education, Medicare, Social Security, and medical research. He criticizes protectionist opposition to free trade but also promises to lead a revival of the nation's manufacturing sector and force the federal government to buy American-made goods. On the war he slams Kerry for his "ambivalence" but also draws a sharp distinction with Bush, condemning preemptive or preventive war—a cornerstone of the Bush doctrine—as a declaratory policy of the United States.

Thanks to his showing, Lieberman looks, for the first time this year, like a contender. "We had our first piece of positive momentum—and the key is, can we turn it into a roll?" asks one adviser. On his way out of the postdebate spin room, a smiling and swaggering Lieberman ends a brief interview with me by shouting into my recorder a greeting to a mutual friend, "*Shavua Tov*." It's a Hebrew expression uttered after the Sabbath that means, "Have a good week." Joe Lieberman has finally had one himself. ■

ZACH TRENHOLM

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BOOKS & THE ARTS

STANLEY KAUFFMANN ON FILMS

Matters of Character

AL PACINO'S LATEST FILM, **PEOPLE I KNOW,** is suffering from fuzzy description. Because Pacino plays a harried New York press agent, much of the comment I've seen has called the picture a descendant of *Sweet Smell of Success.* (That film, in fact, is no more about a press agent than it is about a Broadway gossip columnist, a nearly extinct breed, and is streaked with several kinds of sentiment.) *People I Know* is indeed about a hustling, pill-popping press agent, and the swamp through which he paddles is celebrity-mongering, but that is not the film's true subject.

Eli Wurman, played by Pacino, has lived through one era into another. On the walls of his office are framed letters and photos from the Kennedy time, and he boasts that he once marched with Martin Luther King Jr. As he also hints occasionally, he knows that he is now in a quite different age. He apparently was what used to be called a showbiz liberal, but such people, whatever our questions about them, are now less vivid and iconic in our Ashcroft-tinted age. The basic brilliant stroke in this screenplay by Jon Robin Baitz is that his protagonist is not a lofty statesman or a social activist but a mingy press agent, sharp and quick, who knows that once upon a time he used his shenanigans in the service of worthy causes. Eli also knows that aesthetically, perhaps even ethically, his antics were no better back then than they are now, but at least then he could use them in the service of progressive ideas. Baitz's choice of this publicist as protagonist shows how far down the sense of era change has seeped.

PEOPLE I KNOW
(Miramax)

MAN ON THE TRAIN
(Paramount Classics)

Eli underscores this change by trying to recapture the past. He has organized a benefit at a popular restaurant to help improve racial relations. Two hundred of the most important people in New York have been invited—importance is undefined—and the two principal speakers are to be a flamboyant black minister and a wealthy Jew much concerned with Jewish causes. (We are free to infer the models for these men.) These two are smarmily introduced, after their behind-the-scenes squabble, by an Oscar-winning actor who is now sniffing at political ambition. (Because of this ambition, the actor has just fired Eli, who was his publicist and whom he now considers too scruffy.)

The film takes place within twenty-four hours. This benefit party, with its arrangements, is the core of the action, but around it are wound two subplots. The actor has been involved with a drug-addicted film starlet and model, Jilli, who has been jailed: he asks Eli to bail her out, help her to pack, and get her out of town. In her hotel suite Eli is so buzzed with pills and drink that he isn't even aware that she is being murdered in the next room. (He later learns that she had taken incriminating photos at an orgy.) Thus he himself is entangled. Then the widow of Eli's brother comes up to New York from Virginia ostensibly just to visit, but, in quite genuine affection, she hopes that Eli will come back with her. She is played by Kim Basinger, tenderly convincing in this woman's pity for the life that Eli lives and in her longing for him. This strand, like the Jilli story, is deliberately left unfinished by the film's final dealings with Eli.

People I Know was directed by Dan Algrant, apparently a Manhattan specialist: he did *Naked in New York* and has worked on the television series *Sex and the City.* He keeps the film wriggling along, snaking through the undergrowth of its subject. The cinematographer was Peter Deming, who shot the nearly surreal *Mulholland Drive* and who here makes New York look theatrical. But the very considerable impact of the picture is mainly the work of two men, the author and the star.

Baitz is a well-known playwright of whose work I have seen only a little. His writing was adroit, and he chose interesting subjects that he had not quite mastered. Here his writing is again adroit—pungent and insightful. Short lines strike sparks: in Jilli's hotel she asks Eli if he wants sex, and woozily he says that he prefers things more romantic. She says: "I can do romantic." Those four words implicate her whole life. (The pair don't have sex.) As for Baitz's subject, he has quite mastered it here and has placed it shrewdly by keeping it underneath as an ostinato instead of a leading theme. And Baitz has written a role for Pacino that must have seemed to him a feast waiting to be devoured.

Pacino has never been a perfunctory actor, but he has often conveyed that he knew he was playing a movie role and wanted us to enjoy it for what it was. Sometimes, however, he has found a full-bodied character that summoned all the energy and technique and sheer force of concentration that are always in him waiting for the right chance—as in *Dog Day Afternoon* and *Glengarry Glen Ross* and *Donnie Brasco.* Eli Wurman is another such chance, a complex character whom Pacino plays in counterpoint, the hustler whom everyone sees and the mourner of the past who is taciturn but always present.

A few weeks ago, reviewing *The Girl From Paris,* I noted a characteristic of French film—the abutting of two unlikely companions. Here is another instance. It was written and directed by Patrice Leconte, who recently gave us *The Widow of Saint-Pierre,* a drama that touched profundity. His new film, **MAN ON THE TRAIN,** was made with equal art but is a quasi-comic study of two contrasting characters who are linked.

The *Saint-Pierre* film had suggestions of Camus; this new one suggests Simenon. A leather-jacketed, saturnine man gets off a train in a small town. He stops at a drugstore for aspirin and is told that the store has run out. A local man, who has just bought the last bottle, overhears this and invites the stranger to his home for aspirin and rest. The local man's house is large and lovely; he is a recently retired teacher of poetry who is rich through inheritance.

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The town's one hotel is closed for the winter, and the teacher invites the stranger to stay. When the stranger unpacks in his room, he stows away three pistols.

Soon we find out that the stranger is there to rob a bank in a few days, something that the host soon suspects. However, the gist of the film isn't the crime plot but the interplay between the two men, who spend those few days together. That interplay is quiet, shrewd, enjoyable. The host is, not quite openly, jealous of the other man's much more exciting life: the robber finds himself affected by the teacher's modality—in fact, at one point circumstances compel him to give a poetry lesson to a visiting pupil. Leconte provides two endings for his film, which are interwoven: one is sad, the other droll. We can choose.

He directs as if he were enjoying the story bit by bit, and he is splendidly aided by his two principals. The robber is played by Johnny Hallyday, little known here but a gigantic rock star in France, mature enough now to let his success and experience do most of the acting job for him. The teacher is the always welcome Jean Rochefort, who acts with the same surety and pleasure that Artur Rubinstein used to show at the piano. But the essence of the film is that French gambit which Leconte has called "the magic of the unlikely encounter." ■

Richard A. Posner

An Army of the Willing

Why conscription does not serve community.

IN THE THEORY OF THE STATE that John Stuart Mill sketched in *On Liberty,* the government's role is to provide an unobtrusive framework for private activities. Government provides certain goods, such as national defense and (in some versions) education, that private markets will not provide in sufficient quantities. But beyond that it merely protects a handful of entitlements (property rights and some personal liberties) that are necessary to prevent markets from not working at all or from running off the rails, as would happen, for example, if there were no sanctions for theft. Limited government so conceived—the conception most commonly called "nineteenth-century liberalism," to distinguish it from modern welfare liberalism—has no ideology, no "projects," but is really just an association for mutual protection.

Since the election of Ronald Reagan in 1980, and with scarcely a beat skipped during the presidency of Bill Clinton, the United States—by such means as widespread privatization and deregulation, welfare reform, and indifference to growing inequalities of income—has been experimenting with a partial return to nineteenth-century liberalism. This development is obscured by the fact that the left believes in personal but not economic liberty, and that the right believes in economic but not personal liberty, and that the Millian center, which believes in both forms of liberty, has no articulate presence in either of the major political parties. But since the left has been notably unsuccessful in restricting economic liberty, and the right has been largely unsuccessful in restricting personal liberty, what we have in fact, though it is rarely acknowledged, is an approximation, though a very rough one, to a Millian polity.

The most sweeping intellectual challenge to our reviving nineteenth-century liberalism comes not from the dwindling band of socialists, with their narrow focus on economic issues, or from the social or religious conservatives, with their narrow focus on abortion, homosexuality, religion, and a handful of other purely "social" issues, but from the communitarians. These political theorists think that liberalism as practiced in the United States today is causing people to lose all sense of communal responsibility. They argue that people are becoming self-preoccupied and thus indifferent to the claims of the community. As evidence they point to our high rates of crime and divorce and out-of-wedlock births; and to our declining rates of participation in communal activities such as voting; and even to the prevalence of commuting and the popularity of television-watching because these (the first especially) tend to be solitary activities.

FOR MANY COMMUNITARIANS, THE demon is commodification—the substitution of market services for non-market services. Private prisons, private tutors for four-year-olds applying for admission to $17,000-per-year New York City kindergartens, Duke University's sale of freshman places to rich kids, professional dog walkers, the auction of the electromagnetic spectrum, and surrogate-motherhood contracts: these are some of the gaudier examples. Of greater significance is paid child care, though those communitarians who are liberals in the modern sense do not care to dwell on this point. No longer do mothers feel morally obligated to take full-time care of their children themselves, or grandparents to step in for a busy or absent parent. The purchase of child care is now a legitimate option. The care of the elderly has to a great extent been shucked off to retirement and nursing homes supported by Social Security. And no longer is military service an obligation of citizenship. There is no draft; the army is a career like any other. Preoccupied with money-making and other private projects, many people evade taxes and jury duty, and in most elections fewer than half the eligible voters bother to vote.

To the practical-minded, the communitarian movement founders on a dearth of useful suggestions for reversing—or even just slowing—the dismal decline that the communitarians bemoan. Most of their proposals echo those made by others on grounds unrelated to communitarianism. One does not have to be a communitarian to want safe, clean parks or high standards in education. Their distinctive proposals tend toward the quixotic, as in Robert Putnam's proposal for an annual Jane Addams Award for "the Gen X'er or Gen Y'er who comes up with the best idea" for restoring social capital; or to the unlovely, as in Michael Lind's program of "liberal nationalism," which proposes restricting immigration and using tariffs to prevent foreign countries from competing with us on the basis of lower wage rates in those countries. But the dominant communitarian note is banality, as when Putnam in *Bowling Alone* says (in italics—so important did he consider the point), "Let us find ways to ensure that by 2010 Americans will spend less leisure time sitting passively alone in front of a glowing screen and more time in active connection with our fellow citizens."

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BUT THERE IS A DEEPER problem with communitarian thinking than the lack of a constructive agenda. Its diagnosis of the nation's ills is empirically off. We know this because in recent years, at the same time that the ties of community as they are imagined by communitarians have been fraying, the ills to which that fraying was thought to give rise have been abating rather than increasing. Crime rates have fallen, as have rates of abortion, teenage births, and births out of wedlock; welfare dependency has declined; racial tension is significantly reduced. The causality is complex; but the communitarians owe us an explanation for why their predictions have been falsified. A possible answer that they will not like is that commodification promotes prosperity and prosperity alleviates social ills. Think of the social and economic implications of abolishing life insurance, which commodifies human life; or re-instituting the draft or imposing other compulsory national service, which would deprive the economy of a significant slice of its productive labor; or ending Social Security and child care subsidies in order to strengthen the family. Not that many communitarians would endorse all these measures, but nothing in their theory tells them when to stop turning back the clock.

In a lecture in 1998 titled "What Money Can't Buy," Michael Sandel observed that "to turn [military] service into a commodity—a job for pay—is to corrupt or degrade the sense of civic virtue that properly attends it." To Sandel—here following Rousseau, who had said, "I hold enforced labor to be less opposed to liberty than taxes"—the volunteer army is a prime example of rampant and destructive commodification. The suggestion is perverse. Conscription could be described as a form of slavery, in the sense that a conscript is a person deprived of the ownership of his own labor; and slavery is the ultimate commodification, because it treats a human being as a salable good. Michael Lind likewise had it backward when he opposed the volunteer army (which he had called a "mercenary" force) on the ground that "in a republic, as opposed to the old-fashioned despotic monarchies, the citizens participate, they are the owners of the state, the state does not own them." But surely it is conscription that treats the persons conscripted as if the state does own them. There are circumstances in which military service is an obligation of citizenship, but ownership is a poor metaphor for obligation. The state that asserts an unlimited right to the enforced labor of its people is not participatory, it is despotic.

The volunteer army was not the brainchild of Milton Friedman and other commodifiers. We have had a volunteer army for most of our history, conscription having long been resisted here, as in England, as a Continental practice associated with Napoleonic militarism. The volunteer army was re-instituted when there was no longer a felt need for a mass of (inevitably sullen) cannon fodder. The criticisms of it by the communitarians are refuted by the public response to it in the recent war with Iraq. Only the Iraqi minister of information described our soldiers as "mercenaries." No American was heard to say that since our soldiers are paid to risk their lives, we should regard the death, the wounding, or the capture of them with the same equanimity with which we regard the occasional death and maiming of race-car drivers, lion tamers, and mountain climbers. No American was heard to say, and I doubt that any American thought, that one reason to regret heavy American casualties was that it might force up the wages necessary to attract people to a military career. The armed forces are regarded with unstinted admiration, and the recovery of the handful of captured American soldiers was greeted with national rejoicing. To contend that the voluntary character of the American military degrades the concept of American citizenship would strike most Americans as daft.

It is true, as Sandel has emphasized, that the enlisted men and women in the armed forces (as distinct from the officers) are drawn primarily from the lower middle class and so are not a perfect cross-section of the American population. He regards them as "coerced" by economic necessity to volunteer, just as if they were drafted. This is far-fetched, and a similar sentiment was expressed by Representative Charles Rangel of New York in April when he remarked, "If our great nation becomes involved in an all-out war, the sacrifice must be equally shared. It is apparent that service in the armed services of our nation is not a common experience for our youth and that disproportionate numbers of the poor and members of minority groups compose the enlisted ranks of the military while the sons and daughters of the most privileged Americans are underrepresented or absent. We must return to the tradition of the citizen-soldier." This, too, is far-fetched. The true consequence of the demographics of the armed forces—a consequence that communitarians should applaud—is that the nation's admiration for these scions of the lower middle class helps to bind the different income classes together. The military prowess of the United States is recognized to be the joint product of the technological and organizational prowess of wealthy corporations, high-paid executives, and highly educated scientists and engineers, on the one hand, and the courage, competence, and high spirits of the young people from the other side of the tracks (to make the point rather too dramatically) who dominate the enlisted ranks. I suspect, by the way, that many television-watchers found the privates, non-commissioned officers, and junior officers more impressive than the generals; and this was an egalitarian lesson delivered by commodification. "The general critique of the 1990s was that we had raised a generation with peroxide hair and tongue rings, general illiterates who lounged at malls, occasionally muttering 'like' and 'you know' in Sean Penn or Valley Girl cadences," Victor Hanson Davis has remarked. "But somehow the military has married the familiarity and dynamism of crass popular culture to nineteenth-century notions of heroism, self-sacrifice, patriotism, and audacity."

A notable omission in the communitarian criticism of the volunteer army is the failure to consider that a professional army (a term synonymous with volunteer army) is

One Is for Sorrow

Hearse-bird, herald of ruin
Who laughed hard to see the ark sail
All morning you palaver in a split oak tree
You say I'll get nowhere today

Two o'clock the sky lightens
Houses step backwards in new-falling snow
Breath of silence, breath of slate
Neither of us stirring

Lost in the woods a fieldstone wall
Black branches on bog water
Gallowbird keeping watch over my dropped
Hours, all Creation's

Dark matter contained in one
Glistening eye

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likely to be much more effective militarily than a conscript army under current conditions of warfare. How much military effectiveness should we give up to promote the communitarian vision? The communitarians have not told us. There is a subtler significance of the shift from a conscript to a professional army that they also ignore. As David King and Zachary Karabell pointed out in *The Generation of Trust*, one reason for the enhanced esteem in which our volunteer military is held compared to its conscript predecessor is that when labor is hired rather than conscripted, the employer must persuade the labor pool that working for him is attractive. When it could no longer rely on the draft to fill its ranks, the military conducted large-scale advertising and marketing campaigns to attract recruits and had great success with its slogan "Be All That You Can Be." Most of the people who saw the ads were not potential recruits, but they, too, were impressed, and so the ads helped to change the negative image that the public had of the military as a result of the Vietnam fiasco.

So here was another dividend of commodification, and not an adventitious one either. For one of the differences between allocating resources, human and otherwise, by means of the market (which is all that communitarians mean by "commodification") and using coercion to allocate them is that the former method fosters cooperation. Indeed, it fosters a form of community. Unable any longer to obtain labor by force, the military was compelled to transform itself into an institution that people would respect and trust. Bonds forged by trust replaced bonds forged by fear of punishment. It is what one might have thought communitarians would have wanted. ■

Sally Satel

The Trauma Society

REMEMBERING TRAUMA
By Richard J. McNally
(Harvard University Press, 420 pp., $35)

IN THE 1890S, AFFLUENT VIENNESE families sent their daughters to Sigmund Freud to treat mysterious problems such as sleepwalking, paralysis, and fits of coughing. Freud took these afflictions to be stigmata of sexual experiences long submerged in the unconscious, and using hypnosis he tried to awaken the memories and release the painful childhood secrets. But it is unclear whether Freud actually cured any of these women. Scholars debate whether he even extracted more than a handful of stories of sexual abuse. By 1897, Freud began to doubt that repressed childhood traumas were the source of all adult hysteria and neuroses. "It has slowly been dawning on me in the last few months. I no longer believe my Neurotica," he wrote to his colleague Wilhelm Fliess. "It is impossible to distinguish between truths and [emotionally charged] fiction."

About a century later the search for buried secrets resumed in full force, and with devastating consequences. Unlike Freud, some overzealous twentieth-century therapists had remarkable success in "finding" memories. Not only did they uncover stories of parental violation, they also found tales of blood-soaked satanic worship, cannibalism, and alien abduction. Heartache ensued as hundreds of families were ruptured by groundless accusations of the sexual abuse of children; caretakers were cross-examined in courtrooms and even imprisoned, based solely on their young charges' fantastic tales of mistreatment. Patients were tragically misled about the source of their unhappiness, while the therapeutic profession was staggered by its self-inflicted wounds.

At least one good thing is coming out of these infamous disasters: a more refined body of scientific research on memory. Richard McNally has brought together data from hundreds of published studies on memory and has provided a thoroughly masterful synthesis. His book is precisely written, tightly organized, and argued in a highly persuasive, non-polemical fashion. "Until the mid '90s, debates about trauma and memory were hampered by vitriolic accusations issuing from both sides and by the scarcity of clinically relevant scientific data," McNally writes. "Now, an outpouring of research has clarified many of the most contentious issues." Can survivors put trauma completely out of their minds? Do the workings of memory differ for traumatic events? How does emotional stress affect memory? How do shame and guilt magnify the traumatic potential of an event? These are just a handful of the important questions that McNally systematically tackles.

One of the most critical—and overlooked—questions that McNally addresses is disarmingly simple: what counts as trauma? Some traumatologists believe that a trauma should be defined as whatever traumatizes a person. McNally rejects this circular approach. True, a person might feel "traumatized" by, say, a minor car accident—but to say that a fender-bender counts as trauma alongside such horrors as concentration camps, rape, or the Bataan Death March is to dilute the concept to the point of meaninglessness. McNally defines a traumatic event as one that is unexpectedly life-threatening or horrifying or both—as properties of the event itself rather than as a reflection of the subjective response to it. "The more we broaden the category of traumatic stressors," he asserts, "the less credibly we can assign causal significance to a given stressor itself and the more weight we must place on personal vulnerability factors."

The conclusion of McNally's research, and of the research of others, is that memories of horrible experiences are rarely, if ever, repressed—that is, exiled from consciousness without the victim knowing it and actively kept out of her awareness. On the contrary, those who endure shocking ordeals almost always remember them, even if they choose not to think about them or desperately wish to forget them. Moreover, therapists and memory researchers have been too lax about trying to distinguish reluctance to disclose dreadful experiences or failure to think about them from a true inability to remember the events. McNally's book reminds us how much popular psychological wisdom still needs to be unlearned—by the public, by the media, by judges, and, not least, by many mental health professionals. This correction has been a long time coming, because the notions that we bury memories of intolerable events, that those memories are accurate when unearthed, and that they hold the key to understanding our current distress, are axioms of the Freudian legacy that is inscribed on our culture.

Sally Satel is the author of PC, M.D.—HOW POLITICAL CORRECTNESS IS CORRUPTING MEDICINE *(Basic Books) and co-author of the forthcoming* ONE NATION UNDER THERAPY *(St. Martin's Press).*

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While it would be wrong to say that latent memories are always untrue, accepting them at face value is terribly dangerous. Scientific evidence, as well as clinical and forensic experience, tells us that the accuracy of a memory cannot be judged by how vivid it is or how emotionally compelling it feels. Without independent verification, plausible-sounding recollections embellished or wholly produced by one's own imagination or at the suggestion of another are virtually impossible to distinguish from accurate ones. In the end, it becomes clear that the psychological "truths" we seek—the tidy causal explanations for why we feel, think, and act as we do—are unknowable, because we are influenced by so many variables of which we are genuinely unaware.

Enter the methods of cognitive psychology. McNally employs them to help resolve the ongoing controversy by enabling scientists to test hypotheses about how people may either forget events or falsely come to believe that they have been traumatized. The importance of his book is plainly owed to its scientific authority; but McNally is an astute cultural observer as well, and he installs the memory debate and the consideration of trauma—how it is defined, how it affects victims—in an illuminating social framework. It would be unfortunate if *Remembering Trauma* were judged by its cover—that is, as a work only on the urgent but somewhat fashionable subject of repressed memories. Its scope is much larger. McNally takes seriously the oft-cited remark of Judith Lewis Herman that "without the context of a political movement, it has never been possible to advance the study of psychological trauma." There is some truth here, McNally agrees, but we must remember that just as campaigns against domestic violence, child abuse, and even the Vietnam war have advanced our understanding of victims, those same movements have at other times exploited and even manufactured victims for political ends.

This essentially political tension casts a large shadow over the field of traumatology. And when scientific data are perceived as clashing with efforts on behalf of victims, there have been ugly scenes. The cognitive psychologist Elizabeth Loftus has been vilified for publishing groundbreaking data on the malleability of memory. As a sought-after expert witness in repressed memory cases, she has been accused of sympathizing with child molesters. A few years ago the literary scholar Elaine Showalter received death threats for her book *Hystories,* a study of modern epidemics of hysteria such as multiple personality disorder. In July 1999, Congress unanimously passed House Resolution 107, which "condemns and denounces" three psychologists, Bruce Rind, Philip Tromovitch, and Robert Bauserman, for a "severely flawed" study, and the Senate then approved it unanimously. The psychologists' offense was publishing an empirical paper in the prestigious journal *Psychological Bulletin* concluding that child sex abuse does not inevitably lead to lasting psychological harm. McNally presents new evidence showing that the psychologists' conclusion—which was by no means an irresponsible reading of the data they examined—might not hold up, but he is fierce about protecting their scientific freedom.

Now McNally, too, risks excommunication from the Church of Traumatology, for the charge of blaming the victim. For he presents evidence showing that emotional breakdown after a tragedy is the exception, not the rule. It occurs because some individuals are simply more susceptible than others to developing psychiatric disorders following a crisis. This will not please the psychobabblers and the melodramatists and the daytime-television bookers; but McNally is unfazed. "Ultimately the best form of advocacy," he writes, "is pursuing the truth about trauma wherever it may lead."

II.

One contentious issue to which the data lead McNally is the extent to which certain psychological conditions are invented rather than discovered. That people try desperately to make sense of their feelings—that they initiate an "effort at meaning," as the British psychologist Frederic C. Bartlett calls it—is poignantly brought home by McNally's experience recruiting subjects by means of an advertisement in a newspaper for a study on memory of childhood sexual abuse. Over the course of a few days he had three eerily similar interviews with young women who wanted to be subjects in the study. When McNally asked them about details of the abuse, none could recount any. He then asked them sympathetically why they responded to an ad seeking sexual abuse survivors if they had no knowledge of actually being abused, and the women replied that they had many problems they could not explain—chronic sadness, too much drinking, feeling tense around older men, and so on. According to McNally, "The source of their problem remained mysterious . . . until they realized that they must have been sexually abused but repressed the memory of the abuse."

But while their suffering was formidable—and McNally never loses sight of this—the mystery was not. After all, many patients end up deciding what is wrong with them based upon the so-called illness narratives that the media and the faddish therapists endorse. Consider multiple personality disorder (MPD), one of the most dramatic outcomes of an "effort at meaning" combined with zealous therapy. Psychiatrists disagree whether MPD occurs spontaneously in nature as a consequence of childhood trauma, but even skeptics believe that it is genuine in that the patient is typically not faking her condition. The psychiatrist Paul McHugh, one of the first to publicly question the MPD explosion, believes that MPD is produced in the therapist's laboratory, "promoted by suggestion and maintained by clinical attention, social consequences, and group loyalties." The American Psychiatric Association removed MPD from its nomenclature in 1994 (but replaced it with a controversial condition called "dissociative identity disorder," which is basically the same as MPD). The general consensus today is that if there truly are individuals who—spontaneously, without suggestion—forget their identity for discrete periods, and "lose" time, and are inhabited and controlled by another self during that absence, they are exceedingly rare.

The best evidence that MPD can be invented is the skyrocketing of its prevalence following the release in 1977 of the film *Sybil,* the true story of a woman who supposedly had sixteen discrete personalities. Prior to the movie, there were between 50 and 200 recorded cases of documented multiple personality disorder. By the 1990s, estimates climbed as high as 20,000 to 40,000. The story of Sybil provided the prototypic narrative: a young child subject to systematic and extraordinary cruelty by a parent is literally shattered by the abuse and vacates herself during the ordeal, thus creating other identities ("alters") to protect the main personality from overwhelming terror.

In a disturbing postscript to the Sybil phenomenon, Herbert Spiegel, a well-regarded expert in hypnosis at Columbia University who had once treated her, revealed that Sybil was a product of her more than ten years of therapy with Cornelia Wilbur. In an interview in 1997, Spiegel called Sybil a "grand hysteric"; she was without question deeply troubled, but she did not have MPD. Instead, she was suggested into it. Not only was she extremely hypnotizable, Spiegel emphasized, but she had read *The Three Faces of Eve,* thus acquiring a

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model for multiplicity. Moreover, her psychiatrist seemed to encourage her to create alters. During her sessions with Spiegel, Sybil asked him if he wanted her to switch personalities, "to be Helen." Who is Helen? he asked. "Well, when I'm with Dr. Wilbur she wants me to be Helen . . . that's a name Dr. Wilbur gave me for this feeling," Sybil replied. In a letter to Wilbur, Sybil remarked that "I do not have any multiple personalities. I don't even have a 'double' to help me out. I am all of them. I have been essentially lying in my pretense of them."

Skeptics such as Spiegel hold that MPD is essentially a manifestation of hysteria—that is, a symbolic expression of psychological distress driven by unconscious conflict. Perhaps, metaphorically speaking, it is a way to express forbidden aspects of the self. Feminists are drawn to this interpretation. Gloria Steinem glorifies MPD as a way for women to use secondary personalities to exercise creative forces that patriarchy has suppressed in the primary self. This liberationist interpretation is silly and dangerous, because it helps people to justify an indulgence in dysfunctional behavior.

The irony, of course, is that a liberationist reading of such symptoms may have once reasonably applied to Freud's hysterical female patients. Several of them went on to play meaningful roles in first-wave feminism in Europe. Perhaps it is not so far-fetched to interpret their hysterical symptoms, such as loss of voice, as a protest turned inward. It certainly makes sense that feminists would have a stake in validating the accuracy of recovered memories and in the idea that women, once mistreated, remain forever scarred by it. "Not until the women's liberation movement of the seventies," writes Judith Lewis Herman, "was it recognized that the most common post-traumatic disorders are not those of men in war but of women in civilian life," referring to rape victims, battered women, and sexually abused female children. "The study of trauma in sexual and domestic life becomes legitimate only in a context that challenges the subordination of women and children," Herman insists.

By contrast, which responsible mental health expert would talk about the study of diseases such as schizophrenia, bipolar illness, or major depression "only" being legitimate against a backdrop of victim politics? Which responsible clinician would interpret those diseases as mere idioms of distress? None, of course. Core symptoms of severe mental illness (delusions, hallucinations, manic energy, numbness, and so on) are believed to be direct manifestations of abnormal neurochemistry and brain function, not inchoate misery molded into diagnostic shapes by suggestion, reward, or the emotional gratifications of the sick role. Generally, though by no means always, illnesses such as schizophrenia have a predictable course and response to treatment. Patients who are psychotic or profoundly depressed do not get better when the insurance money runs out, or when there is reason to evade responsibility—two circumstances that Spiegel has observed routinely in MPD cases. Nor are white women of North America disproportionately affected, as they are by MPD.

Granted, there may well be a biological substrate in MPD patients. Sybil was highly hypnotizable and may have inherited a biological predisposition to dissociate—to lose her sense of time and self—under intense stress. When a person with such a predisposition also suffers great inner turmoil, she could easily, and unconsciously, latch onto an attractive illness narrative and transform her distress into a recognized mental disorder. Such a psychic strategy—which may be imbibed from the media and from self-help books—directs which sensations she should pay attention to and which she should ignore. Therapists contribute to the process by declaring some sensations more important than others, a practice based solely on hunch rather than on evidence that doing so brings greater comfort or understanding (in which case focusing on particular symptoms and not others would indeed be justified). In this way, therapists and patients may unwittingly negotiate a "mental disease."

III.

How victims remember trauma is one of the most divisive issues facing psychology today. McNally comes down on the side of clinicians and researchers who believe that victims typically remember their adversities extremely well. On the other side are psychiatrists such as Judith Lewis Herman, who concluded in 1992 in *Trauma and Recovery* that "the ordinary response to atrocities is to banish them from consciousness." Once banished, however, the memory does not fade away. Herman thinks that the memory burrows into the mind like a deep abscess, releasing toxins that cause all manner of psychic and physical disarray. The job of the therapist is to draw memory to the surface, even if at first, as Herman writes, "the patient may not have full recall of the traumatic history and may initially deny such a history, even with careful, direct questioning." Psychoanalyst Alice Miller, the author of *The Drama of the Gifted Child,* contends that many women are unaware of "brutal" abuse that they suffered in childhood and thus "their illusion of a good childhood can be maintained with ease." Herman and Miller are perhaps the most influential psychotherapists writing on trauma today. Their highly readable and often poignant books are classics in the fields of traumatology; but they are not empirically rigorous.

Then there is *Memory, Trauma Treatment, and the Law,* another popular book used in forensic cases, which was published in 1998. This tome is by psychotherapist Daniel Brown, attorney Alan W. Scheflin, and psychotherapist D. Corydon Hammond. (Hammond recently lectured his students at the University of Utah that myriad cults in this country are masterminded by a Jewish doctor named Greenbaum who once sympathized with the Nazis. He believes that these cults engage in pornography, heroin distribution, and international arms smuggling.) The text treats satanic ritual abuse as if it were an actual and serious problem, and instructs that "memory for infant trauma is encoded accurately and indelibly," and encourages the use of hypnosis for memory retrieval.

McNally addresses the issues that Herman, Miller, and Hammond and company raise by noting the similarities and the differences between memories for traumatic events and everyday ones. Again and again, the data show that all recollections change over time. The first lesson, then, is that the mind's eye does not operate like a video recorder. Memory is a spectacularly fallible instrument. The perception of events, their storage in the mind as memories, their retrieval: these are all processes subject to misperception, decay, and imperfect reconstruction. No mechanism has yet been found that protects memories from fading. We fit bits and fragments of recollections together in ways that make sense to us in the fullness of our current circumstances. We are always angling the prism of memory. In fact, psychotherapy is a grand, guided exercise in such inwardly expedient adjustment: sometimes the results are rewarding and illuminating (even if less than historically accurate), at other times they are grievously misleading.

Consider the plasticity of memory. Elizabeth Loftus has conducted several important studies of memory manipulation. Her findings have been widely replicated. In one experiment, Loftus showed college-student

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subjects a film clip of a two-car crash. She asked half of them about seeing broken glass after the cars "hit" each other and the other half about broken glass after the cars "smashed into" each other. While no broken glass was depicted anywhere in the film, subjects who were asked about the "smash," but not the "hit," were much more likely to report having seen it. Loftus calls this post-event suggestion. In a second type of experiment, memories were injected outright. The best known of this genre is Loftus's lost-in-the-mall study. She told subjects that she had learned from relatives that when they were five years old, they were lost in a shopping mall, rescued by a shopper, and reunited with their family. Unknown to the subjects, Loftus contacted the relatives before relating the made-up vignette. Not only was Loftus able to convince one-quarter of the subjects that they had experienced the event, some even added embellishing details to the "memory."

Using similar techniques, other researchers have successfully implanted dramatic childhood memories such as near-drowning, animal attacks, and injuries inflicted by other children. Thus the story creates the memory, rather than vice versa. Even outlandish fantasies can be deeply held. McNally's research team at Harvard University found that when subjects who claimed to remember being abducted by aliens are read scripts of abduction (based on details that they gave the researchers), they manifest increases in physiological indices of emotion, such as heart rate and skin conductance (sweating on the palm of the hand), that are larger than those registered by Vietnam veterans diagnosed with post-traumatic stress disorder who hear scripts of their combat traumas.

DOES THIS MEAN THAT THE phenomenon of repression is merely psychological folklore? Or that no long-forgotten knowledge and images recovered during the course of psychotherapy or otherwise can ever be true? No, McNally says. It is a potential hypothesis, but it remains to be proven. What we do know, McNally makes clear, is that the data are rock solid in establishing that memory is highly malleable, and that without corroboration we cannot infer from the vividness or the intensity of a memory that an event is historically true. As it stands, McNally correctly states, the burden of proof that the "ordinary response" to horror is its expulsion from awareness remains with those who believe it is so.

How to get to the bottom of this? McNally systematically sets out the minimum standards that studies should meet in order to confirm that repression occurs. The basic plan would entail gathering a pool of subjects who were involved as children in a well-documented traumatic situation. Then, years later, they would be interviewed to see how many had no recollection at all of the event. Finding such a pool would take work, but the task is not impossible. Once the pool was divided into those subjects who remembered and those who did not, researchers would need to exclude from the latter group those who had any of four possible reasons for failing to recall the event.

The first reason for exclusion is that the subject was less than three or four years old when the trauma occurred. This cutoff minimizes the chance that failure to remember was due to natural childhood amnesia, which wipes out events that took place when the subject was very young. The second disqualification is that the subject should not have suffered head injury, malnutrition, brain diseases, or severe sleep deprivation, because these conditions interfere with memory acquisition and retrieval. The third is that the subject has some obvious reason to deny continuous knowledge of the abuse. (There is the matter of the law itself: in some states, only lawsuits involving "repressed" memories can be filed; if someone has always remembered being abused, the statutes of limitations typically prevent him from seeking justice.) And the fourth reason is that the subject simply forgot. A forgotten event is one that is brought to awareness relatively easily with prompting, and is quickly recognized ("oh, yes") as having once transpired. This is much more likely to happen in the case of an event that was not perceived as traumatic at the time it took place. Not uncommonly, men and women who were fondled as children report that while they found the experience confusing or upsetting at the time, it was not terrifying or life-threatening (the properties of a true trauma). Thus, they chose to put it out of their mind, and did so successfully.

McNally could not find a single study or case report that met all of these standards. In fact, in study after study—of Holocaust survivors, of accident victims, of the children of the Chowchilla bus kidnapping, of torture victims—the subjects do not complain about forgetting; if anything, some are still tormented by their memories. Several studies said to support repression actually involved victims who sustained head injuries as part of the traumatic event they could not later recall. To be sure, even if a study meeting all four of McNally's requirements failed to identify any repressors, this would not tell us that the phenomenon never occurred in nature. After all, if something occurs rarely (say, less than one in one thousand times), most research samples will miss it. But at least we could reject as radically off the mark estimates made by repression enthusiasts that one-third to one-half of all incest victims are unaware of their mistreatment.

IV.

"CONTEMPORARY DEBATES about trauma—how it is defined, how it is remembered, how it affects victims—have been shot through with politics since the Vietnam War," McNally tells us. Indeed, it was Vietnam that gave us the diagnosis of post-traumatic stress disorder (PTSD). The condition is marked by the intense re-experiencing of a horrific, often life-threatening event in the form of relentless nightmares or unbidden waking images. Crippling anxiety and phobias are also common.

To be sure, after a tragedy most people feel emotionally devastated, agitated, or even numb; but after a few weeks their reactions fade, leaving a residue of painful reminiscences and sadness. When symptoms last more than a month, however, the individual may have PTSD. Generally, between 10 percent and 30 percent of those who confront harrowing, cataclysmic experiences develop PTSD. (About one-third of the survivors directly in the path of the bomb in Oklahoma City developed it.) One plausible theory is that PTSD represents a biologically programmed fear reaction that, for reasons not fully understood, does not subside once the fear-producing situation is removed. The unabated fear reaction yields symptoms of re-experiencing, anxiety, and phobias.

The story of PTSD starts with the Vietnam veteran. In the late 1960s, a band of self-described antiwar psychiatrists—spearheaded by Robert Jay Lifton, who was well known for his work on the psychological damage wrought by Hiroshima—formulated a new diagnostic concept to describe the psychological wounds that the veteran sustained in the war. In 1972 they proposed "Post-Vietnam Syndrome," a disorder marked by "growing apathy, cynicism, alienation, depression, mistrust, and expectation of betrayal as well as an inability to concentrate, insomnia, nightmares, restlessness, uprootedness, and impatience with almost any job or course of study." Typically, the symptoms did not emerge until months or years after the veterans returned home.

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The efforts of Lifton and his group would shape the dramatic image of the Vietnam veteran as the kind of "walking time bomb" immortalized in films such as *Taxi Driver* and *Rambo*. In the summer of 1972, *The New York Times* ran a front-page story on Post-Vietnam Syndrome. Titled "Postwar Shock Is Found to Beset Veterans Returning From the War in Vietnam," the article, by Jon Nordheimer, alleged that 50 percent of all Vietnam veterans—not just combat veterans—needed "professional help to readjust." The story contained phrases like "psychiatric casualty," "emotionally disturbed," "mental breakdowns," and "men with damaged brains." According to the sociologist Jerry Lembcke, a Vietnam veteran, "the story provided no data to support the image of dysfunctional veterans that it spun; what it did provide was a mode of discourse within which America's memory of the war and the veterans' coming home experience would be constructed."

This mode of discourse set the Vietnam veteran apart from soldiers that came before him. "The suggestion or outright assertion [was that] Vietnam veterans have been unique in American history for their psychiatric problems," writes the historian Eric T. Dean Jr. in *Shook Over Hell—Post-Traumatic Stress, Vietnam, and the Civil War.* Civil War soldiers also succumbed to mental breakdown, but because their war is portrayed as a righteous crusade to end slavery, it elicits images of heroes and prompts battle re-enactments. Only an unjust conflict such as Vietnam, Dean argues, could prepare the cultural imagination to accept the idea of soldiers as psychiatric victims, tragic misfits, and tormented losers. As the image of the psychologically injured veteran took root in the national conscience, the psychiatric profession debated the wisdom of giving him his own diagnosis.

In 1980, the American Psychiatric Association adopted post-traumatic stress disorder as an official diagnosis. (In that same year MPD was entered into the formal lexicon.) More generic than Post-Vietnam Syndrome, a diagnosis of PTSD was applicable to those who suffered other kinds of traumatizing conditions, such as natural disasters, accidents, or rape. Prior to the introduction of PTSD, there were other designations for traumatic reactions—in World War I and World War II, combat reactions were called shell shock or battle fatigue—but otherwise well-adjusted individuals were believed to be at small risk of suffering more than a transient stress reaction once they were removed from the front. Originally, prolonged dysfunction

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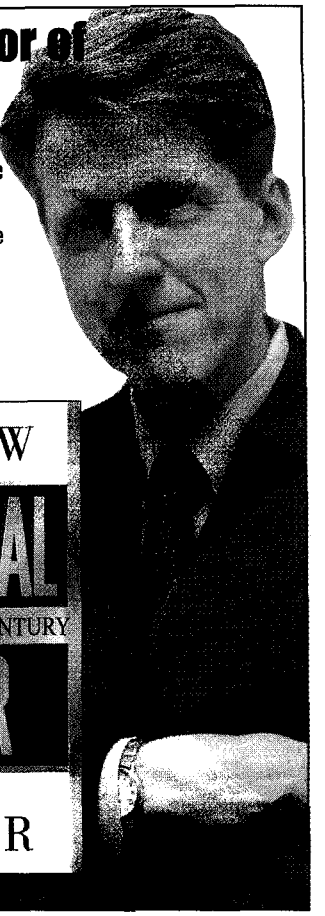

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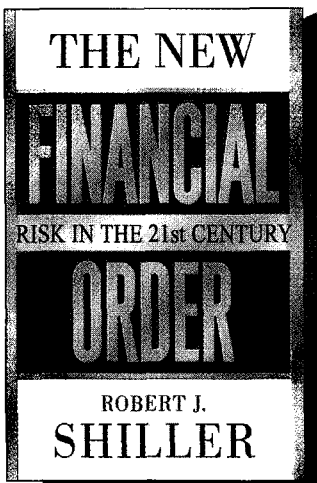

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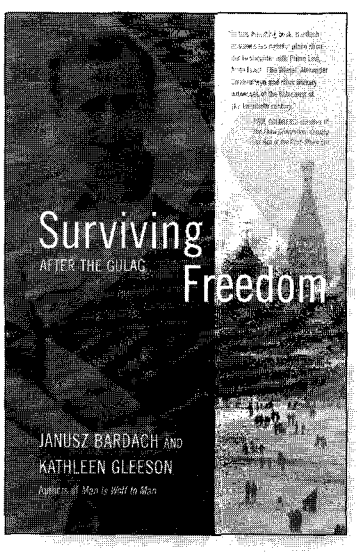

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following a terrifying experience was believed to reflect underlying genetic or psychological vulnerability; the feared stimulus itself, such as combat, was deemed little more than a precipitating factor.

THE DIAGNOSIS OF PTSD changed all this. According to the British psychiatrist Derek Summerfield, PTSD "was meant to shift the focus of attention from the details of a soldier's background and psyche to the fundamentally traumatogenic nature of war." No longer were prolonged traumatic reactions viewed as a reflection of constitutional vulnerability; they became instead a natural process of adaptation to extreme stress. A traumatic event was thus defined as one that would cause significant distress to anyone anywhere. The influence of individual differences shaping response to crisis gave way to the profound impact of The Trauma, with its leveling effect on all human response.

Today, more than two decades after PTSD was ratified as a formal diagnosis, psychiatrists recognize that perfectly healthy people can indeed develop the condition following catastrophic shock. The risk of this happening, however, is considerably greater for those with pre-event psychological vulnerabilities, such as mental illness, personality disorders, and conduct problems as children. Not only do temperament and intelligence influence an individual's response to extreme events, they may well play a part in whether individuals become exposed to those events in the first place. People who are sensation-seeking, impulsive, or poor at predicting the consequences of their actions are more likely to get in harm's way. Intelligence has been shown to be a protective factor. (After all, general cognitive competence reflects in part the ability to evaluate new information and experiences and to adapt.) McNally emphasizes the relevance of pre-trauma traits, even though doing so can be deemed politically incorrect. As one traumatologist writes in *The International Handbook of Human Response to Trauma,* pointing out the issue of vulnerability to PTSD "potentially invalidates the experience of survivors, or worse, blames them for their legitimate reactions to those events."

So PTSD represents both a legitimate mental condition and a cultural artifact of the Vietnam era. It was partly intended to validate the suffering of veterans, but the irony is that nobody knows how many Vietnam veterans were actually affected. A government-mandated study on PTSD in Vietnam veterans found in 1988 that half of the approximately three million in-country veterans suffered either PTSD or a less severe form ("partial PTSD") at some point in the decade since returning from war. But this seems implausible: if only 15 percent of all troops were exposed to combat, it seems odd that 50 percent suffered symptoms of war trauma. Moreover, other military data reveal that during the years of most intense fighting, psychiatric casualties numbered twelve troops per thousand, or a little more than 1 percent.

Other factors may have inflated the number of Vietnam veterans believed to be afflicted. Take the undeniable economic allure of disability benefits distributed by the Veterans Administration. Today, a veteran disabled by PTSD can collect up to about $2,000 to $3,000 per month tax-free. Though well intended, the V.A. benefit system offers perverse financial incentive for veterans to remain ill. The effect of pensions was noted as early as World War I. "As men got better, the thought of losing their allowance would cause their . . . symptoms to return or new ones to appear," wrote one British psychotherapist in the early 1920s.

Settling into the role of Vietnam veteran with PTSD is not always an economic affair, of course. When the V.A. hospitals created PTSD wards in the 1980s, the therapeutic culture cast combat exposure as the root of all postwar anguish. In the service of PTSD treatment, many well-meaning clinicians diverted veterans' attention from their immediate responsibilities toward sharing war stories in group therapy. "Anyone expressing skepticism about the validity of PTSD as a psychiatric condition—on the ground, say, that it became a catchall category for people with long-standing disorders of temperament and behavior who were sometimes seeking to shelter themselves from responsibility—was dismissed as hostile to veterans or ignorant of the mental effects of fearful experiences," observed Paul McHugh, the former chairman of psychiatry at Johns Hopkins University.

Psychiatrists have long recognized the complicated relationship of disabled veterans to the V.A. For some, the agency represents a kind of hostile dependency in which the veteran blames the government for his crippling war stress but craves the caretaking and resources its facilities can offer. For others, the hospital is a meeting place where they can socialize with fellow veterans and re-experience the camaraderie and sense of purpose they felt as young soldiers. For some of these men, military service was the most meaningful period of their lives. Conditions were hospitable, then, for an unsuspecting collusion between a troubled middle-aged veteran who perhaps had only minor complaints of nightmares or occasional disturbing thoughts of Vietnam and his therapist. Both have been trained by their culture into thinking that he had PTSD. The appeal to the veteran was obvious: the diagnosis bolstered his image as a wounded warrior, and helped him to make sense of his failures, and allowed him to attach meaning to pervasive feelings of demoralization, apathy, or irritability. From a clinical standpoint, though, clinicians were distracted from the patients' main problems by a preoccupation with dramatic symptoms. Finally, a growing number of researchers, McNally among them, worry that the well-documented problem of symptom exaggeration by patients may well undermine the validity of much of the research on combat stress.

V.

IN A RECENT BOOK ON PSYCHIATRISTS and the military, the British war historian Ben Shephard observed that Vietnam, as the inspiration for the diagnosis of PTSD, "helped to create a new consciousness of trauma in Western society." It is a consciousness that presumes psychological fragility in the face of shocking adversity. A decade ago, for example, the Red Cross was sending only about three counselors to hurricane disaster sites, and now it deploys between one hundred and three hundred. After September 11, the trauma industry was out in full force. According to one estimate, nine thousand purveyors of therapy raced to lower Manhattan advocating intervention for any person even remotely connected to the tragedy.

Hospital and clinic directors in New York City braced themselves for epic caseloads of patients with post-traumatic stress. In the horror of the moment, their frantic preparations made sense; but the flood of patients did not come. This is not surprising. Most people are resilient. They prefer to cope—they can cope—on their own and in the embrace of their families, their communities, and their religion. Yet soothing and strengthening oneself, without expert help, is increasingly regarded as an anachronism, like setting one's own broken bone. The notion that a potent stress could pose an ennobling challenge to the human spirit, rather than a destructive threat to its integrity, is more and more foreign to the way Americans now live.

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"Does everyone who goes through trauma need a therapist?" asked a skeptical reporter in *USA Today*. The answer seems to be yes. New York state mental health authorities estimated that about 1.5 million people, or one in five city residents, would need counseling after the attacks (though only 120,000 showed up for FEMA-funded services as of June 2002). That summer, city-based charities along with the Red Cross announced combined grants of up to almost $500 million over five years to "address the enduring problem of psychic damage—grief, stress, trauma—after September 11th."

McNally, too, is impatient with the profession's tendency to medicalize normal human reaction to catastrophe, to play fast and loose with the attribution of mental illness. As just one example, he points to a study in *The New England Journal of Medicine* in which researchers questioned a random sample of Americans within mere days after September 11. The researchers found that 90 percent of those polled said they had at least one "symptom" (sleeplessness, trouble concentrating, feeling "very upset" when reminded of the attack, disturbing memories or dreams, feeling irritable). Forty-four percent said they had been "extremely" bothered by at least one of these problems. While these were normal initial reactions, the researchers described this subgroup as having "substantial symptoms of stress," and improbably warned that "clinicians should anticipate that even people far from the attacks will have trauma-related symptoms."

Such alarmist directives fuel the anxious hiring of crisis counselors, a practice that should be seriously reconsidered. Fortunately, last year the National Institute of Mental Health and the World Health Organization criticized the intrusive activities of practitioners who call themselves "debriefers." They are trained to get victims to express their feelings about the event—to cry and to re-live it as vividly as they can. Such emoting can rub some people raw, going against the grain of their natural adaptive instinct to distance themselves emotionally. A recent review of debriefing in *The Lancet* revealed that some victims actually recover from stress more slowly or feel worse after receiving the intervention compared to those who did not get it; at best, the intervention makes no measurable difference. Moreover, knee-jerk promotion of trauma therapy weakens people's trust in their own capacities. Appealing to an "expert" on anguish deprives one of the experience of having struggled to master one's tribulations by means of one's own inner resources.

For the most part, those surveyed about their mental health after September 11 were not direct victims. They were not at the World Trade Center scrambling for their lives. Yet even when people do suffer horrible events so directly, it is not inevitable that they are clinically traumatized. McNally describes studies documenting the resilience of political prisoners who have been tortured and of civilians who escaped genocide. Yet the psychological agendas intrude in these cases, too, in the form of the refugee mental health movement. "Almost everyone in Kosovo will consider her- or himself traumatized," warns the mental health literature from CARE International. The same has been said of Rwandans, Cambodians, and Bosnians by other agencies such as UNICEF, the U.N. High Commission on Refugees, CARE, and the U.S. Office of Refugee Resettlement.

As a consequence of these ominous but unexamined assumptions, millions of dollars have been spent on clinics dispensing Western-style psychotherapy in the furthest reaches of the globe (Iraq is likely to be next), even though program evaluations reveal that actual use of specialized psychological help is typically very low. In fact, numerous reports indicate that even refugees who have been victims of hideous atrocities are often more apt to blame their anguish on the effects of forced migration and resettlement than on violence in their homeland. They typically shun therapy, which is, after all, a highly culture-bound activity; but they eagerly welcome efforts aimed at relieving their loneliness, and their anxiety about economic survival, and their loss of occupation. It is no surprise that critics of the refugee mental health movement, such as the British psychiatrist Derek Summerfield, bemoan the urgency to diagnose PTSD. He attributes this to a consequentialist ethic that leads us to judge the malignancy of an act by the degree of harm that it produces. This consequentialist calculus permeates the trauma field, McNally notes, and he cautions emphatically against confusing harmfulness with wrongfulness.

Finally, McNally worries about the legal implications of defining trauma down, and the consequent trivializing of truly disabling post-traumatic reactions. In employment litigation, women who claimed PTSD

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from being sexually harassed have successfully sued or settled for large awards. Others have won settlements for being "traumatized" by hostile work environments. In her harassment suit against President Clinton, Paula Jones claimed PTSD from their encounter. Clinton ended up settling with Jones, while the entire country was in turn traumatized by the spectacle.

The Boston Globe reported last fall that three local therapists are campaigning for recognition of a new diagnosis: post-traumatic slavery disorder. Apparently, drug abuse, broken families, crime, and low educational attainment in segments of the black community can be directly linked to the trauma of slavery, and "black people as a whole are suffering from PTSD"—an abuse-excuse appeal for reparations if ever there was one. Satirists could barely contain themselves, proposing, among other new diagnoses, "post-traumatic birth disorder," defined as being "brought on by the pain, insensitivity, embarrassment, and forced relocation that the victims had to endure as a result of the birth process, not to mention the indignity and violence associated with that first spanking."

None of us is likely to remember that first spanking, but memory generally serves us well. It provides the core of our identities and the substance of our autobiographies. It is the foundation for cognition. But memory is exceedingly subject to distortion. For the most part, our reconstructions are good enough for everyday life; but in the legal arena, inexact recall can literally be a matter of life and death. In the current sex abuse scandals in the Catholic Church, the vast bulk of accusations have been made by adults who always recalled their violation, but amid the clear-cut cases of abuse there is the considerable danger that a stream of false accusations is likely to emerge as new "victims" are influenced by media coverage or by suggestive therapy.

McNally's book prepares us for that possibility, and more generally for the peril of another kind of abuse: memory abuse. *Remembering Trauma* is a powerful counterweight to a literature that has often ranged from sloppy to ill-informed to overwrought, and to a field that is too often susceptible to the promptings of politics and culture. McNally has produced a work of exemplary scholarship that should begin to free our conceptions of trauma from the grip of many contemporary illusions. If it accomplishes this, it will be a grand achievement far beyond its field. ■

Jenna Weissman Joselit

Southern Discomfort

MORDECAI: AN EARLY AMERICAN FAMILY
By Emily Bingham
(Hill & Wang, 346 pp., $26)

MORE THAN TWO CENTURIES ago, Americans found God (again). They are "turning religious as fast as they can conveniently fall, without hurting one another," related one observer in 1810 as a flurry of Protestant revivals, which historians call the Second Great Awakening, swept the South. Among those touched by the "sweet but powerful tie of Christian affection" were several members of the Mordecais, an extended Southern Jewish family whose roots pre-dated the American Revolution. "[I want to] cast myself at the foot of the cross, and be washed in the purifying blood of atonement," Rachel Mordecai Lazarus wrote to her father Jacob in 1835, informing him of her decision to convert to Christianity. A staunch member of the Richmond Jewish community, Jacob Mordecai did not take kindly to the news. In what Rachel would later describe as a "soul-harrowing" scene, her father thundered, stormed, and issued all manner of maledictions upon her head until she promised to give up on the idea of conversion, at least for the time being. (Rachel eventually converted when she was at death's door. "Let me die a Christian," she reportedly said.)

The stuff of high drama, this episode and hundreds of other, less wrenching moments in the collective life of the Mordecais can be found in the clan's voluminous collection of letters. Having survived both the passage of time and the accumulation of dust, the family correspondence spans the 1780s on through the Civil War. This "faithful band of love and duty" availed themselves of the nation's newly established postal system, making a point of keeping in touch. Over the course of several generations, wherever they settled—Warrenton, North Carolina, or Richmond; Mobile, Alabama, or West Point—the Mordecais exchanged thousands of gossipy, newsy letters with one another.

Virtually everything, it seemed, was grist for the mail: schoolgirl crushes and domestic squabbles, the purchase of new curtains, the difficulty in obtaining "commemorative crackers"—matzoh—for Passover, debilitating illness, mountains of bills, questions of faith. At once earnest and straightforward, impassioned and overwrought, charming and fey, the Mordecai letters provide readers of the twenty-first century with a keen sense of what it was like to live, to love, and to wrangle in the nineteenth century. They also enlarge our understanding of American Jewish history, making it vividly clear that Jewish life in the New World was not just an artifact of mass Eastern European immigration but also a much earlier phenomenon all its own. Add to this the fact that the Mordecais appear to be a likable lot and their letters are nothing short of irresistible. You might say that they are the Louds of the nineteenth century.

Like a number of historians before her, Emily Bingham, an independent scholar, was among those beguiled by the members of this tribe and their epistolary revelations. Her book exhaustively mines both the Mordecais' correspondence and the supplementary collections of their diaries and personal papers to furnish a finely grained portrait of a Southern Jewish clan whose members, more often than not, were at odds with one another, especially when it came to matters of belief. Some Mordecais made a point of holding tight to their Judaism. Having been born a Jewess, a Jewess I "must remain," declared Julia Mordecai in the face of proselytizing teachers. Others (the menfolk mainly) intermarried and reared their children as Christians, prompting Jacob Mordecai to lament the scarcity of eligible Jewish women for his sons to marry. There are just not many Jewish girls to "be had," he glumly acknowledged in 1823 from his home in Richmond.

Still other Mordecais—lots of them, in fact—actually converted to Christianity, their hearts swayed by the "final conviction of the truth as it is in Jesus," or by their spouses. A number of family members went

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even further, espousing free love, communitarianism, and the water cure. By 1913, when Caroline Myers Cohen, a Mordecai descendant, took pen in hand to publish a private family history, the number of Mordecais who remained Jewish could be counted on one hand.

BINGHAM'S STORY OPENS WITH the patriarch Jacob Mordecai, who, on the eve of the American Revolution, overcame inauspicious beginnings—his father, Moses Mordecai, was a transplanted British convict; his mother Esther, née Elizabeth Whitlock, was a convert to Judaism—to move comfortably among stalwart members of colonial society's Sephardic elite such as Haym Solomon, the legendary financier who signed his Jewish marriage contract, and Myer Myers, New York's leading silversmith, who became his father-in-law. Setting down roots in the South in 1787, where he experienced a number of upsets (his beloved first wife died, his business failed), Jacob Mordecai went on to father thirteen children and to open a highly respected academy for girls in North Carolina known far and wide as the Mordecai School, where, in the interests of "female improvement," girls were taught the three R's, "geography and the use of the globes," needlework and manners. In due course Jacob Mordecai prospered, becoming a pillar of both local society and Southern Jewry.

Jacob's offspring also did well in antebellum America. Despite an occasional bout with anti-Semitism, some of it directed at the family's unmistakably Jewish name—it sets them apart and marks them as belonging "to the tribe," wrote Rachel to her brother Solomon—the Mordecais racked up an impressive record of accomplishments. One son had the distinction of being the first American Jew to pass the bar in North Carolina; another was graduated from West Point (at the top of his class, no less) at a time when Jewish cadets were a rarity indeed. Marrying well, Jacob's daughters and granddaughters took up the lives of middle-class Southern women. They did good works, tended to their needlework, supervised their household slaves, endured multiple pregnancies, read a lot (Mary Wollstonecraft was a particular favorite), and, with increasing frequency, turned their hearts toward Christ.

Meanwhile, Jacob's grandchildren, who came of age in the 1840s and 1850s, found salvation elsewhere. Ellen Lazarus ran away from the South in 1845 to join a commune on 10th Street in the heart of Greenwich Village. Surrounded by artists, radical reformers, and other defiantly unconventional folk, she came to learn things no lady should know, or so complained her relatives. Her brother, Marx Edgeworth Lazarus, fell for Fourier and his utopianism. Named for his grandfather Marks, he embroiled himself in the workings of Brook Farm and its ecumenically minded Church of Humanity, and later became a tireless advocate of free love.

ALL THE WHILE, AS TONGUES wagged and tempers grew short, everyone was busily confiding in their diaries and writing letters to everyone else about everyone else. With such juicy material, and so much of it, you might expect the Mordecais to leap off the page. But, alas, they don't—not in this book, anyway. Instead of letting the Mordecais and their actions speak for themselves, Bingham intrudes too much. The Mordecais, she informs us again and again and again, are a "mythic family," bound by a special "covenant" that renders them exemplars of "enlightened domesticity." Sounding the same banal note repeatedly, even across the generations, Bingham subordinates her complicated characters to an interpretation that renders them lifeless, inert abstractions in thrall to some organizing principle. Little wonder, then, that the Mordecais that inhabit Bingham's book emerge less as a fascinating collection of flawed human beings than as the armature of a pop-sociological category: the ideal family, whose members "pledged to stick by one another through thick and thin, to recognize their God but always tolerate others, and to improve themselves and the world around them."

More problematic still is Bingham's understanding of the Mordecais' triangulated identity as bourgeois, Southern, and Jewish. She seems to have difficulty reckoning with the last element of that rich equation. Referring to the family's ongoing attempts to find a place for itself in the South, she writes: "Being Jewish compounded every aspect of these efforts, but to reduce our understanding of these efforts to their being Jewish is to do the Mordecais—and ourselves—a gross disservice." But hang on a minute. Who said anything about "reducing" the Mordecais, let alone the complexities of being Jewish in America? Surely not the subjects of this book, whose letters make clear that their religion was of a piece with their social status and their national pride, and not just a pesky ethnic piece of a puzzle that refuses to fall neatly into place. If anyone is doing the "reducing," it is Bingham: the Jewish dimensions of this story interest her little. By Bingham's lights, Jewishness is a residual category that annoyingly impedes or complicates the Mordecais' steady march into the middle class and what she describes as the "protean nature of the family's evolving covenant with themselves and the wider worlds in which they increasingly moved." The Mordecais, we are told, are an American family, as if being an American Jewish family were somehow a contradiction in terms.

Bingham's limited and seriously flawed reading of the relationship between Americanness and Jewishness may also account for her show of reticence when it comes to the conversion of multiple Mordecais, whose musings on the attractions of Christianity take up much of the book. Bingham points out that the apostasy of some family members ruptured the fabled family covenant and occasioned profound domestic rifts between fathers and daughters, mothers and sons, aunts and nieces (you get the picture), rifts that prompted one of their number, Eliza Kennon Mordecai Myers, to write that "our family has never been the same in point of union, happiness, and I will even add respectability, since the spirit of proselytism entered it"; but then Bingham has little to say. You get the feeling that, in her scheme of things, conversion is the natural, just, and inevitable outcome of becoming an American, the quintessential happy ending.

But as the family's own writings attest, there is far more to the Mordecais and their encounter with America than Bingham's account would have readers believe. If anything, the story of the Mordecais suggests the manifold possibilities of Jewish life in the New World, and not just the inevitability of its foreclosure. Yes, apostasy and conversion were rife during the Mordecais' collective lifetime—so much so that the Jews of antebellum America probably outpaced their Old World cousins in the frequency and the ease with which they jettisoned their Jewishness. At the same time, though, American Jews, in both the South and the North, including a number of Mordecais, were also building synagogues, establishing Jewish charitable associations, publishing Jewish books, and, in ways large and small, domestic and public, fashioning an American Jewish existence. To lose sight of this dimension of the Mordecai family saga is to render a "gross disservice" to the Mordecais, to latter-day readers of their letters, and, above all, to history. "And thus it goes with every generation," Emma Mordecai wisely wrote, "changing and passing away, thoughts, feelings, lives." ■

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TAIPEI DIARIST

Fear Itself

I DON'T PANIC EASILY. WHEN CAUGHT in the middle of a riot three years ago in Thailand, pinned between truncheon-wielding cops and snarling anti-globalization protesters, I didn't panic. When interrogated by military intelligence in 2001 in Burma, I didn't panic. But, in March, in the plush environs of Taipei Airport's business lounge, I panicked. A Chinese man sitting near me had begun to cough, spraying bits of spittle, and I responded by jumping behind my chair like an army grunt ducking fire. When my neighbor's coughing subsided, I rushed to the bathroom, where I scrubbed my upper body with soap and searched frantically for a sanitary mask. Finding none, I fashioned a face-covering from twine and fast-food napkins. I looked like a Burger King version of Jesse James.

IT WASN'T THAT I OBJECTIVELY BELIEVED SARS (severe acute respiratory syndrome) was a major threat to my health. During my March trip to Southeast Asia, I knew that every day exponentially more people in the region came down with older illnesses—tuberculosis, dengue fever, you name it. By the time I reached Taipei, my last stop, I had already survived vastly more dangerous activities than my encounter in the airport lounge. I had flown on Laos's unsafe national airline. (On one flight, the pilots let tourists into the cockpit to take flash photos as the plane landed.) And, if I needed any more reassurance, I was accompanied on the trip by my fiancée, an infectious disease doctor.

BUT STILL I PANICKED—A FEAR THAT mounted steadily throughout my trip. When I first arrived in the region, in Singapore, SARS appeared a limited problem, with China assuring the world it had the disease under control. But, by the time I left Singapore for Thailand, the number of people infected across Asia was rising. By my arrival in Laos, five days into the trip, China and Southeast Asia were revealing many new SARS cases. But, even more than numbers, it was the nature of the disease that terrified me. Many other deadly diseases in Asia were borne by mosquitoes or trash or dogs and could be avoided if you took precautions. But a disease that could be carried by anyone you ran into was far more frightening. Worse, I learned that, unlike older killers such as tuberculosis, which can be transmitted only by close contact, I could catch SARS from someone across a room, since its droplets are small and aerosolized. Unlike anthrax, which probably would be released by a lone lunatic, anyone could transmit SARS, without even knowing it. So, whereas in fall of 2001, I had tried to identify and avoid the one person on the Washington Metro who looked crazy enough to release anthrax, in Asia I suspiciously eyed, well, everyone.

THE LACK OF ANY EFFECTIVE TREATMENT for SARS didn't help. Doctors were trying combinations of steroids and other drugs, but nothing seemed to work. Nothing? I asked my fiancée. Nearly every disease I'd ever heard of—tuberculosis, AIDS, even smallpox—had some kind of treatment associated with it, even if it didn't always work. No, she replied, with SARS, it's simple—basically, you either get better on your own, or you don't. This struck me as the worst kind of psychological mind-screw, a disease that removed your hope in human ingenuity and left you at the mercy of your white-blood-cell makeup.

COVERAGE OF SARS IN THE ASIAN MEDIA only exacerbated my panic. Ten years ago, when the media in authoritarian Asia was state-dominated, foreigners like myself knew not to believe much of anything we read. But, over the past decade, the region's media have become much freer: Sometimes, the information in the Chinese, Singaporean, or Taiwanese media is now quite accurate and often more insightful than foreign reporters' stories. The problem is that, at other times, the media still offer up state propaganda. As a result, I could never tell which local reports to believe as the SARS epidemic spread. Even as the Chinese press was reporting that SARS remained a minor problem, Taiwanese papers were reporting that the disease was spreading. In my confusion, I couldn't help but think that perhaps the reading public was better served when governments controlled the media entirely, as Vietnam appeared to do, or not at all, as in Thailand.

MY PANIC CAME TO A HEAD ON THE first leg of my trip home, the flight from Bangkok to Taipei. Before the flight, my fiancée admitted that the lack of treatment for SARS had begun to frighten her a bit as well, even though, on a daily basis, she handled far more deadly and widespread diseases. Because, in my experience, physicians are almost disdainful of risks to their own health, I took this admission as a license to freak out. I sat through the entire flight in stiff silence, my hand over my face. My arrival in Taipei was little better: The airport was full of people wearing masks—something I'd seen little of in Bangkok—and had the first quarantines of travelers from southern China I'd encountered. I walked into the business lounge for my layover with my head down, trying to inhale as little air as possible, feeling like I was about to self-asphyxiate. Then came the episode with the coughing neighbor and the Burger King-esque mask.

THE 15-HOUR FLIGHT FROM TAIPEI TO San Francisco was better. I find long flights calming, time-outs in a small self-contained ecosystem. I focus on the little details of this new ecosystem—how long a laptop battery will last, whether the prices for duty-free items are lower than in a store—and forget whatever worries I brought aboard. I decided to watch the exquisitely mindless Jackie Chan vehicle *The Tuxedo*—for, I hesitate to admit, the second time—popped a sleeping pill, and promptly passed out. (Whether it was the drug or the movie is an open question.) When I woke up, we were nearly in San Francisco. Many of the passengers who'd brought masks on board had removed them and were interacting normally. For better or worse, the San Francisco authorities had minimal SARS screening procedures. At baggage claim, I saw a slightly dated *San Francisco Chronicle*, which to my relief didn't have any big stories on SARS. No airport officials seemed to be talking about the disease.

AFTER PICKING UP MY BAGS, I NOTICED there were two lines for Customs. I got in one that was shorter and appeared to be moving more quickly. As the line moved forward, I glanced at the traveler in front of me. His baggage tags indicated that he had recently traveled through southern China. I looked him over, and he appeared to be healthy. That is, until he turned sideways and sneezed loudly—once, twice, three times. I wheeled my luggage cart around and quickly walked to the back of the longer line.

JOSHUA KURLANTZICK

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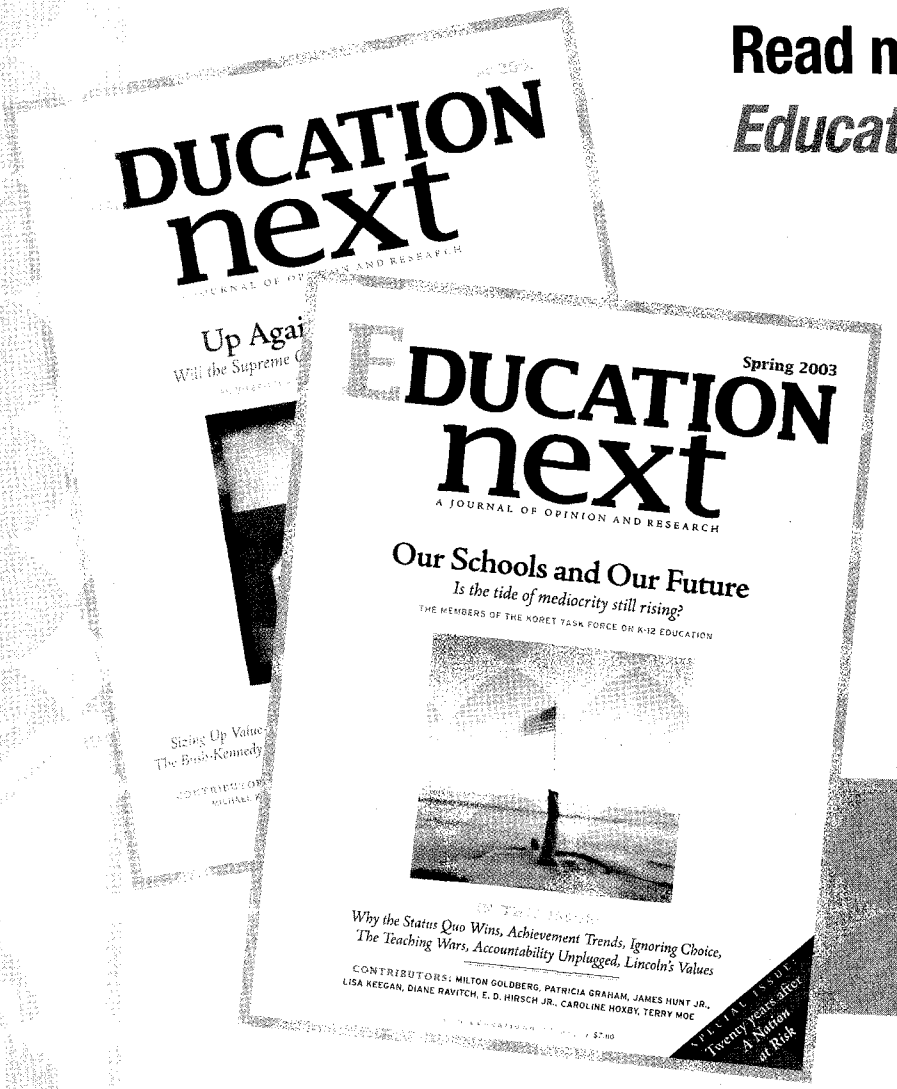
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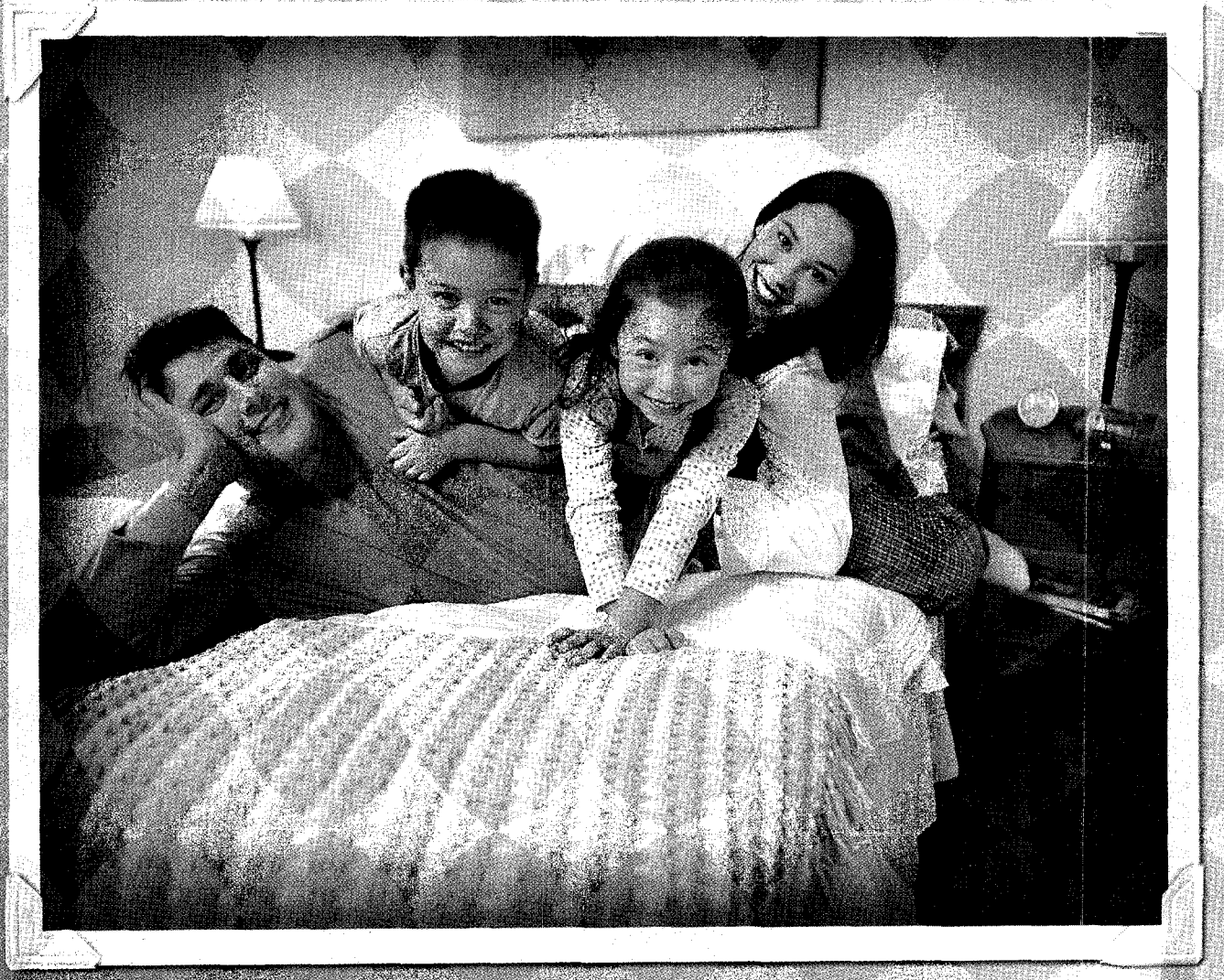

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